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ALTGELD OF ILLINOIS

A RECORD OF HIS LIFE AND WORK

BY

WALDO R. BROWNE

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TO THE MEMORY OF MY FATHER
FRANCIS FISHER BROWNE
AND OF MY FRIEND
JOSEPH S. MARTIN
THIS BOOK IS INSCRIBED

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PREFACE

In addition to the ordinary difficulties connected with the preparation of a "first" biography, I have had to carry through the present task under at least one rather extraordinary disadvantage. From the time when he became Governor of Illinois, Altgeld apparently made an habitual practice of destroying everything among his private effects that would be of the slightest use or value to a future biographer. Thus I have had no access to the sort of material (personal letters, diaries, memoranda, etc.,) which commonly provides the basis and mainstay of such a work as this, and I have been obliged to depend in largest part upon contemporary journalistic records and the reminiscences of surviving friends—sources which, however useful in a subsidiary way, are by no means wholly adequate or immune from error. Although I should be the last to attribute all the shortcomings and defects of the present biography to this account, the circumstance may perhaps fairly be mentioned as an extenuating factor. Partly because of this circumstance, and partly because I have thought such a method would lend interest and variety to the book, I have quoted more freely from the few thoroughly trustworthy existing sources than might otherwise seem legitimate or desirable. While those incidents of Altgeld's public career which became the subject of violent national criticism are necessarily discussed at some length, the main purpose has been simply to provide a brief and readable record of a life spent in the service of the

American common people—a record which makes no pretense to critical analysis or interpretation.

A large debt of gratitude is owing to the many persons who, in one way or another, have assisted me in this task. The generous cooperation of my old friends, Mr. Louis F. Post and Mr. Percy F. Bicknell, whose names I am happy to associate with any work of mine, has been especially invaluable; as has been that of Mr. George A. Schilling and Mr. Clarence S. Darrow. I am greatly indebted to Mr. Brand Whitlock and his publishers, Messers. D. Appleton and Company, for courteous permission to make such liberal excerpts from "Forty Years of It" as appear in these pages.*

W. R. B.

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ALTGELD OF ILLINOIS

CHAPTER I

BOYHOOD AND YOUTH

"My early history," Abraham Lincoln once said, "is perfectly characterized by a single line of Gray's Elegy: 'The short and simple annals of the poor.'" John Peter Altgeld might have said the same thing with equal truth. Indeed, in his case the annals are even shorter and simpler than in Lincoln's. They are also much more obscure, despite the fact that Altgeld was born nearly forty years later and was the contemporary of many who are still living. In broadest outlines, however, such records as we have of the lives of Lincoln and Altgeld reveal much not only of common circumstance but also of common experience. Each was born of humble parents and reared in country poverty; each bore a heavy yoke of hardship and deprivation in his youth; each was chiefly self-educated by grace of a passion for reading. Later, each had experience as a soldier and as a common laborer. Each turned to the study and practice of law, settled permanently in Illinois, went into politics, and eventually wrote his name large in the annals of his adopted State. But certain inspiriting influences that shone from both within and without upon the young Lincoln never lightened Altgeld's early years. No innate harmony with environment, no confidence bred of high

animal spirits and unusual physical strength, no previsions of a great destiny, no whole-hearted devotion of a noble mother or encouragement of a sympathetic father, no congenial comradeships, ever gladdened or fortified *his* youth. He was a stepchild of fortune, a lonely alien far more in spirit than by birth amid conditions that were not merely hard and unpropitious but for the most part aggressively hostile.

John Peter Altgeld was born in Germany, of German parents, on December 30, 1847. A biographical sketch that must have had his own revision gives the place of his birth as Nieder Selters, in Nassau—then an independent duchy, now a part of Prussia. His parents, John Peter and Mary (Lanehart) Altgeld, were evidently of the ordinary lower-class type—poor, uneducated, industrious, honest, frugal, strict, and narrowly orthodox. The father was a wagon-maker by trade. Some three months after the birth of John Peter, their first child, the Altgelds were caught up in that great early wave of emigration which, due to the conditions of distress in their own country, carried so many Germans to the United States during the period from about 1845 to 1854. A brother of Mrs. Altgeld's had come to America the year before and settled in Washington township, Richland county, in the north central part of Ohio. Hither the Altgeld family followed him. The township, a fertile farming region, was inhabited largely by Germans; most of the original stock had come from western Pennsylvania, and the presence of this element was influential in bringing in large numbers of European Germans. Here, on a piece of rented land near the village of Newville, the elder Altgeld attempted farming

on a small scale, at the same time carrying on his old trade of wagon-making. Later, assuming a heavy burden of debt, he took possession of a much larger farm just outside the neighboring village of Little Washington. This venture failed to prosper, and the whole of John Peter's boyhood and youth seems to have been overshadowed by clouds of family ill-fortune. As soon as he was barely able to run about the farm, the boy was impressed for service in the domestic struggle. At thirteen he was guiding a plow in the fields, and carrying farm produce to peddle from house to house in Mansfield, then a town of about six thousand inhabitants, some five or six miles distant. At fourteen he was a full-fledged farm hand, "hiring out" to neighboring farmers whenever he could be spared from home and always turning the whole of his earnings from this source into the family purse. Of the care-free, adventurous, animal existence led by most young country boys, he knew virtually nothing. "I was taught to work," he once said, "from daylight until dark, and to do the chores afterward." Probably "required" would be a more accurate word than "taught" in this connection, for there is evidence that the father was a rigorous taskmaster.

But during these early years of almost incessant physical labor, the boy did not fail to snatch eagerly at every opportunity of an educational sort that came within his reach. At that time, and particularly in the sparsely settled farming community in which he lived, such opportunities were meagre enough, even for those who had the leisure to take advantage of them. And on the part of his parents, or at least on the father's part, there was active antagonism to John Peter's desire for an education. Nevertheless, he managed to attend an

English district school, some distance from home, for two or three winter terms; and later he studied at a German parish school for the greater part of a year. He also went as regularly as possible to an English Sunday School of the Methodist Episcopal Church in Newville. This appears to have made up the sum of his early schooling, in the ordinary sense of that word. But it was sufficient to give him a fairly good working knowledge of English, and to engender an intense love of reading which was one of the great and constant influences of his life. From the German Bible, in which he had learned his first lessons, and the half-dozen other books (chiefly German) in his own home, he now turned to the somewhat less scanty bookshelves of his neighbors, reading every English book upon which he could lay hands. History, biography, poetry, philosophy, theology, mythology—all were welcome grist to the mill of his devouring mental appetite. For a boy in his early teens, such an indiscriminate passion for reading is a remarkable thing in itself; but more remarkable still is such a capacity as was undoubtedly his for assimilating and retaining the essence of all that he read. Everyone who knew him well has testified to the all-important effect of this early reading in shaping and directing his character and tastes and ambitions.*

* "He had an omnivorous mental appetite and read broadly and, although unsystematically, always with that grasp of principles, that power of comprehension, that retentiveness of memory, that manageableness of facts and that love of knowledge which were so noticeable in him in his maturer years. His home resources being narrow, he laid under contribution, as did Henry Clay and Abraham Lincoln and James A. Garfield, such supplies of books as his neighborhood acquaintance brought within his reach. He ranged from the Bible to classic mythology, from history and biography to the great poets and the great philosophers. This course may not have possessed the system of the schools, but it furnished abundance of raw material, and the young reader's exceptional mind did the rest. Throughout his life he showed

In the world of books the boy found virtually his only scape from a world of actuality that otherwise would ıave been scarcely tolerable. From the age of twelve or thirteen, as the eldest of half a dozen children in a family struggling against poverty and debt, he was kept t almost continuous drudgery of a sort that put a heavy train upon his far from robust physique. Besides this, nost of the conditions of his home life were harsh and ınfavorable. Those still living who knew his parents lescribe the mother as an illiterate woman of kindly ıature, fond of her children in the ordinary primitive vay, but devoid of any large sympathy or understanding. The father, no less illiterate and narrow, seems to have acked even the common virtue of kindliness. From all ccounts, he was a hard-headed, close-fisted, stolid Gerıan farmer, antagonistic to every outside interest and ımbition on his son's part, and holding the boy always vithin the most rigid bounds. If, as occasionally happened, John Peter spent the evening at a neighbor's and emained away later than nine o'clock, he would find the loor at home locked against him upon his return and vould have to seek a shelter for the night wherever he ould. When this or any other infraction of the household laws occurred too often, a horsewhip would be rought into play. In the little world outside his home he boy had few friends of his own age, and no intimates. Then, as indeed always, he was shy, reserved, silent, houghtful—a type apart from the common mass, which

ıe results of this early experience; and while, as a lawyer and public ıan, he carried on extended and careful special studies, his reading ontinued wide and various, storing his mind with useful incidental nowledge. He became one of the best-read men that I have ever nown."—From an address by Hon. Charles A. Towne, at the Altgeld Memorial Meeting of March 10, 1907.

the latter does not understand and therefore dislikes. "I never had a real friend in my life," Altgeld once remarked with bitter exaggeration. "I have thought there must be something about me that repels others. It was so from my childhood. In school the boys all picked on me. No one of them ever thought of protecting me from abuse. It was the crowd on one side and John Peter Altgeld on the other. And it has always been the same." *

When the Civil War broke out, Altgeld was a boy of thirteen. At that age, the event could have had no great meaning for him; but during the next two or three years, as the struggle deepened and widened and its reactions penetrated more directly into every corner of the North, he could scarcely fail to realize something of its immense significance. The boy's first glimpse of martial preparations was during the spring and summer of 1863, when a regiment of the Ohio National Guard (or "Home Guard," as it was usually called in those days) was recruited for the most part in Richland county and held frequent drills in Mansfield. Although he was too young to be admitted into this organization, Altgeld followed the recruiting and drilling with keen interest; and the patriotic enthusiasm which centred about the regiment undoubtly aroused his first desire to enlist in the war. Early in 1864 President Lincoln issued a call for 500,000 fresh troops, to reinforce the northern armies. Governor Brough of Ohio urged the State militia to volunteer its services in answer to this call, and thus largely make up Ohio's required quota of twenty regiments without recourse to a draft. Along with all the other militia

* Quoted by Wm. H. Hinrichsen (see his article in the *Chicago Inter Ocean* for March 16, 1902).

regiments, the Forty-eighth of Richland county responded at once to the Governor's plea. Now that it was to see immediate active service, young Altgeld made a determined effort to enter this regiment; and at the last moment he succeeded in enlisting as a substitute for one of the men who preferred to remain at home. Of the sum which he received as bounty-money, he gave ninety dollars to his father to make up for the loss of his labor on the farm, keeping ten dollars for himself. With three militia battalions from adjacent counties, the Forty-eighth was mustered into Federal service at Camp Chase, near Columbus, on May 12, 1864, as the 163d regiment of Ohio Volunteer Infantry. Altgeld was a member of Company C in this unit.

Leaving Camp Chase on May 13, the regiment proceeded by way of Pittsburg and Baltimore to Washington, where it was assigned to the First Brigade, First Division, Twenty-second Army Corps, with headquarters at Fort Reno, near Georgetown. On June 8 it was ordered to the front, near Richmond, where Grant was then just entering upon his final struggle with Lee. Travelling in transports to White House, Virginia, and thence to Bermuda Hundred, the regiment reported to General Butler at Point of Rocks on June 12. Two days later it took part, with General Turner's division, in a reconnaissance along the Petersburg and Richmond Railway. Two hundred and fifty of the men were engaged in a severe skirmish on the 15th, and according to the brigade commander "comported themselves like veterans." On June 16 the regiment was moved to Wilson's Landing, on the James River. Here, within range of enemy fire, the men were kept constantly at work throwing up entrenchments and performing such other duties as fell

to the lot of reserve forces. From Wilson's Landing several reconnaissances were made to the west bank of the James, which was strongly occupied by the Confederates. Later, in a position of considerable danger further down the river, the regiment assisted in building a large portion of the works known as Fort Pocahontas. Of young Altgeld's individual life during this period nothing has been ascertained beyond the fact that at Wilson's Landing he was taken seriously ill with fever. After a term in the field hospital, he refused a furlough and returned to his place in the ranks. At the end of August the regiment was relieved from duty and proceeded back to Camp Chase, where it was mustered out of service on September 10, 1864.

In after life Altgeld seldom spoke of his war experience, even to those who were most closely associated with him. Almost his only public reference to this experience is contained in his speech accepting the nomination for Governor of Illinois. "Tell your people," he said, "that your candidate for Governor . . . when sixteen years old, went into the Union army, and for some months carried a gun around in the swamps below Richmond. He did not bleed and did not die, but was there; always reported for duty, was always on deck, never shirked and never ran away." After the anarchist pardons, when he was being characterized throughout the country as an "imported agitator" who had come to the United States at a mature age for the specific purpose of "pulling down American institutions," Altgeld's friends urged him to emphasize the fact of his boyhood services to the Union. But he invariably put aside such pleas with a laugh. "My war experience is nothing of consequence," he would usually say. "I was

a boy then, and merely did what most of the other boys were doing. It was the enthusiasm of those days, the drums and flags and all the rest of it, that led me to enlist. Neither then nor since did I look upon myself as a hero for having gone into the army. And as a matter of fact, not all that I went through in the war required half the courage that it took to sign the anarchist pardons."

Immediately after his regiment had been mustered out, young Altgeld returned to his father's farm near Mansfield and took up the old routine which had been so suddenly interrupted a few months before. During the year and a half following his return from the army, he managed to attend the nearest district school for about four months in all, and to read a great many books borrowed from a friend in Mansfield. Later, in the face of nearly every sort of difficulty, he enrolled for the winter term of 1866–67 in what was known at that time as a "select school" conducted by Rev. Richard Gailey in the neighboring village of Lexington. This was a private non-denominational seminary which then, as later under the supervision of Gailey's daughter, enjoyed a considerable local reputation, and drew many pupils from Mansfield and the surrounding country. Throughout the winter Altgeld occupied a tiny room in Lexington, "boarding himself" with provisions purchased from his father on occasional visits home. With this term at Gailey's seminary to his credit, the youth had no great difficulty in securing a teacher's certificate from the school examiners of Richland county; and for a year he taught school in Woodville, a rural community just outside Mansfield, working on the home farm between terms. During the time when school was in session he shared with a friend a room over an old tannery in Mansfield,

for which they paid $1.25 a month. Here the two prepared their own meals, the scantiness of which was occasionally relieved by some dish cooked and smuggled in to them by Altgeld's mother. Though it had its compensations of one sort or another, that year in the Woodville school was not a happy one for the young teacher. His pupils, mostly the children of German farmers, were inclined to be unruly; and it is recorded that on at least one occasion the difficulties became sufficiently acute to require intervention by the school trustees.

The home in which Altgeld's boyhood and youth were for the most part passed is still standing, though somewhat remodelled during recent years, in the country region a few miles southeast of Mansfield. The elder Altgeld died in 1890, and his wife in 1893. John Peter's two brothers and three sisters, none of whom seems to have been of unusual character or to have attained distinction of any sort, are now all dead.

CHAPTER II

EARLY MANHOOD, 1869–1875

The four years immediately following his Civil War experience must have been by far the most difficult and irksome of Altgeld's minority. As a soldier, he had seen for the first time something of that larger world in which he was so eager to play a part; and upon his return home he found himself more acutely dissatisfied than ever with the dull routine of farm life, while at the same time (as a result of his serious illness during the James River campaign) less equal to its hard physical demands. Inevitably, during this period, his thoughts centred with increasing persistency upon a definite break with the conditions that had held his boyhood and youth within such a narrow groove. School-teaching, to which he had turned as a possible means of escape, proved not at all to his liking. His most decided bent was toward the law, and in different circumstances he undoubtedly would have attempted to fit himself for that profession in some Mansfield law office, supporting himself meanwhile by teaching—as he did in Missouri a few years later. But his parents, opposed in general to every way of life other than their own, were particularly intolerant of this ambition. They believed that all lawyers were cheats and liars; if their son were too proud to be an honest farmer, he should at least not become a professional rogue. And so, for the sake of such peace as was possible in the

family, the son put aside his ambition and kept bravely on with the old tasks, reading and studying in every spare moment and always eagerly looking forward to the day when he should be his own master.

That day arrived on December 30, 1868, when he reached the age of twenty-one. All that could be required of him by his parents had now been faithfully performed. In addition to his years of labor on the farm, virtually every dollar which he was able to earn from outside sources had gone toward paying off the family debt. Two younger brothers were by this time old enough to fill his place at home. He was free at last to strike out into the world for himself, and to shape his own future as best he could. If his determination to take this step had needed final reinforcement, the latter was provided by an unsuccessful love affair with the daughter of a neighboring farmer. The girl was Emma Ford, who ten years later became Altgeld's wife. Whatever her own attitude may have been in the matter at that earlier time, her father forbade any encouragement whatever to the penniless youth. Under this added burden of frustration, young Altgeld set out from home early in 1869, with ten dollars of borrowed money as his only capital. If he were successful in the outside world, he told his parents at parting, he would return to let them know; if not, they would probably never hear of him again.*

Of the subsequent "wander year" in Altgeld's life, marked as it was by hardships and calamities which proved all but fatal, not much is definitely known in detail.

*This conditional promise, it should be noted, was faithfully kept. From about 1873 until his mother's death twenty years later, Altgeld visited his parents on the Ohio farm at fairly frequent intervals—usually twice a year.

But from the recollections of a surviving friend or two (principally Hon. Isaac R. Williams, of Savannah, Mo.) to whom Altgeld told the story, some sort of rough consecutive narrative may be pieced out. After leaving the Ohio farm near Mansfield, Altgeld made his way southward and westward to Cincinnati, and thence across southern Indiana and Illinois to East St. Louis—a distance of about five hundred miles, virtually all of which he covered on foot, stopping here and there along the way to "work out" a meal or a night's lodging whenever opportunity offered. Arriving at East St. Louis with only fifteen cents in his pocket, he used ten cents of this to purchase ferry tickets across the Mississippi for himself and a still more impecunious fellow-traveller of the moment, and then closed his account by buying writing paper and a stamp with the remainder. In St. Louis he seems to have been successful in obtaining some form of casual employment, and he remained here for a few weeks, working by day and studying law at night. But evidently his ultimate objective lay farther west; at any rate, as soon as he had saved a little money he set out across Missouri to southern Kansas. Not long thereafter, he was working as a common laborer with a railway grading crew in Columbus county, Kansas, south of Fort Scott. The Federal government had recently offered a free right of way through the Indian Territory to the first railway that could extend its line to the northern border of that territory, and the Missouri, Kansas, and Texas Railroad was making every effort to secure the offered concession. No doubt Altgeld had seen the company's advertisements for help, then posted in every town through which he made his way from St. Louis; and the promised wage of $3.50 a day (a very liberal

one at that time) led him to take the employment. With an excellent prospect of earning enough during the late summer and the autumn to carry him through a winter of law study, he settled down to work with pick and shovel. Among his fellow-laborers, mostly Irishmen, the quiet, industrious "Dutchman" (as they called him) was soon popular. For a time he was able to keep up with the strongest of them; then the unaccustomed climate, the heavy labor, and the rough camp life began to tell upon him, and he was finally seized with a recurrence of the fever that had first attacked him during his army experience in 1864. His Irish companions carried him to the house of a homesteader near by, where he was put under a doctor's care and treated with great kindness. Although desperately ill, he refused to divulge the name and address of his parents, but asked that in case he did not recover he should be buried in the neighborhood, with the least possible bother to anyone. After a siege of several weeks, he recovered sufficiently to be out of doors again. In his weakened condition, however, a return to the grading camp was out of the question. The doctor had warned him that he must go north without delay; and so, with a few dollars left of his previous months' earnings, he started for Topeka, walking eight or ten miles a day, and sleeping for the most part in barns or haystacks along the route. On a farm near Topeka, where some light work was offered him in exchange for board and lodging, he again fell ill. Hearing the farmer and his wife debating one evening about the advisability of sending him to a public hospital in the city, Altgeld quietly departed the next morning before his employer was up. Then, with some point in Iowa (probably Des Moines) in mind as a destination, he

bought a railway ticket from Topeka to the village of Rosendale, Andrew county, in northeastern Missouri. This was as far as the money which he had left would take him by rail—the rest of the journey he planned to make on foot.

Leaving the train at Rosendale, Altgeld set out across country toward the Iowa border. An evening or two later, he appeared at the door of C. H. Williams's farmhouse, twelve miles northeast of Savannah, seeking food and shelter for the night. He explained that he was ill and penniless, but that he would gladly work out his obligation the next day. Moved by the young man's pitiful appearance and impressed by his obvious sincerity, Williams not only took him in for the night but insisted that he stay in the house as a guest until he could find some regular employment in the neighborhood. At the end of about two weeks, Altgeld went to work for Alexander Bedford, a prosperous farmer of Andrew county. Bedford soon discovered that his new farm-hand possessed intelligence and ability of an unusual sort; and later, as their acquaintance ripened into friendship, he learned of the young man's ambition to become a lawyer. As a member of the county school board, Bedford was able to secure for Altgeld both a teacher's certificate and a teaching position in a near-by district school. This must have been in the late autumn or early winter of 1869. At about the same time, also through Mr. Bedford's good offices, Altgeld became acquainted with Judge David Rea, a prominent lawyer of Savannah who was later sent to Congress from the St. Joseph district in Missouri. With books borrowed from Judge Rea, and under the latter's guidance and encouragement, Altgeld now began the systematic study of law. For the next year or more

he taught school, worked on Mr. Bedford's farm during vacation time, and read law diligently in every spare hour that these other occupations allowed him. On Saturdays he went into town and reviewed with Judge Rea his studies of the previous week. Evidently he was an apt pupil; within a few months, as Rea later told a friend, he was better grounded in the principles of elementary law than his teacher.

On April 27, 1871, Altgeld was admitted to the Andrew county bar. Either shortly before or shortly after this event, he took up living quarters in Savannah and entered the office of Rea and Heren, then the leading attorneys of the town. His ability and energy seem to have won almost immediate local recognition. In the summer of 1871 he was appointed city attorney, and drafted a new code of ordinances for Savannah. At the end of a year in this work he declined another term in order to give his entire time to building up an independent law practice. But apparently the experiment of conducting his own office was not successful, for one reason or another; at any rate, it lasted only a few months. The firm of Rea and Heren had meanwhile been dissolved, as a result of Judge Rea's election to Congress; and Altgeld now joined forces with William Heren, who was carrying on the old business by himself. This association, a congenial and fairly profitable one for the young lawyer, continued until the end of 1874, when Altgeld made his first modest entrance into practical politics.

At about this time the so-called "Granger movement," an organized effort of middle-western farmers to secure relief by "independent" political action from certain economic oppressions ignored if not directly encouraged by

the two "old line" parties, had reached the zenith of its strength and influence. Throughout Missouri as a whole this movement had drawn chiefly from the Republican or minority party. But in Andrew county, of which Savannah was the seat, the Republicans happened to possess a formidable majority. In such Republican strongholds as this, where an independent ticket would have no chance of success, it was a common practice of the Grangers to unite with the Democrats (who were on the whole more favorable to the Granger programme) in support of a single local ticket representative of both political factions. This was the strategy followed in Andrew county in the "off year" elections of 1874. Altgeld had by this time become fairly well known and liked throughout the county, particularly among the farmers; and as a Democrat strongly in sympathy with Granger principles, he was nominated by this combination for the office of state's attorney for Andrew county. He accepted the nomination and the ticket was elected, Altgeld defeating his Republican rival by about 350 votes. Soon after taking office, his law partnership with Mr. Heren was dissolved.

Although he entered upon his new work with characteristic zeal, the duties of a prosecuting attorney could never have been congenial to Altgeld. He was not long in discovering that the system of which he had now become a part had little to do with securing the ends of abstract justice—that indeed, as often as not, it must necessarily defeat those ends. As later characterized in his own words, it was a system "based on a mistaken principle; . . . a great mill which, in one way or another, supplies its own grist; a maelstrom which draws from the outside and then keeps its victim moving in a

circle until swallowed in the vortex." This quotation is from his book, "Our Penal Machinery and Its Victims," published ten years later, the conclusions of which are in part based upon the author's own experience and observation as a public prosecutor. After serving but half of the two-year term for which he had been elected, Altgeld resigned. Along with an increasing repugnance to his public duties, he had felt for some time a desire to leave Savannah and seek a larger field of activity in his profession. There is some evidence, although of a not very convincing sort, that an unhappy love affair contributed to this desire—as had been the case when he left Ohio, six or seven years earlier. The story goes that he wooed the daughter of one of Savannah's wealthiest citizens, a banker; that his suit did not prosper with either the young lady or her father; that the daughter later married the cashier of her father's bank, a worthless fellow who squandered his wife's fortune and died leaving her in poverty; and that for several years during the period of his own prosperity Altgeld helped to support the widow and her five children.* It is impossible to determine now whether this romantic tale rests upon any basis of fact. But for whatever reasons, toward the close of 1875 Altgeld resolved upon quitting Savannah. On two or three visits to his parents in Ohio, which his recently improved fortunes made possible, he had stopped off for a time in Chicago. The spirit of the young city, then just arising with renewed vigor from the ashes of its disastrous fire, made a strong appeal to him, and he decided to make this his home.

* A somewhat detailed version of this story is contained in a sketch of Altgeld's early life published in the *Washington Post* about the middle of March, 1902, and reprinted in the *St. Louis Republic* of March 24, 1902.

CHAPTER III

LIFE IN CHICAGO, 1875–1892

WITH a cash capital of only one hundred dollars derived from the sale of his law books in Savannah, but possessed of large resources in the way of energy and ambition, Altgeld arrived in Chicago during the closing days of the year 1875—a briefless country lawyer of twenty-eight, embarked upon the difficult task of establishing himself in a city of strangers. A distinguished fellow-lawyer of his own age and one of his most devoted adherents in later years, Judge Edward Osgood Brown, gives the following account of Altgeld's earliest beginnings in this new environment:

Comparatively recent incomers to Chicago, my partner and myself had taken modest offices in the newly constructed Reaper Block at the corner of Clark and Washington streets. An office opposite in the hall was for a long time vacant, when one morning a young man appeared to ask us for the loan of some trifling object and told us that he was a lawyer, that he had taken the room described and that he intended to partition off a small part of it for a sleeping room and thus live as well as do business in his office. He was not, as such things are superficially considered, an attractive or graceful personality, and yet there was something about him that instantly arrested our attention and invited our respect and friendship. It was only a little while thereafter that he commanded our admiration as well. . . . We at that time had some litigation which required much delving into musty records in stifling vaults of public offices. We associated Altgeld with us in these

law suits, and I am afraid put too much of that work on him and gave him too little of the fees, although we were glad to avail ourselves of his ability to conduct the forensic part of the business also. His industry and conscientiousness were phenomenal through it all.

But, as is its wont, the litigious world in general showed no immediate disposition to clamor for the young lawyer's services, and his first year in Chicago was one of extreme hardship and discouragement. To a friend in Savannah whom he had entrusted with the collection of some small bills owing him in that town, Altgeld wrote upon receiving the money that he had paid his landlord six months' office rent in advance, so that in any event he would at least be sure of a place in which to sleep and work during this period. Through the business given him by Judge Brown, supplemented by an occasional small case which came to him in the ordinary course, he managed somehow to keep going until the tide turned and he was retained in a personal damage suit which brought him what must then have seemed a princely fee—two thousand dollars. On the strength of this good fortune he took a two or three week's vacation during the summer of 1877, visiting Newport and other fashionable eastern resorts in order (as he told his friends) to see how the "leisure class" lived. In November of the same year he was married at Washington, Ohio, to Miss Emma Ford, thus consummating the youthful romance which had begun shortly before he left home in 1869. Miss Ford was a graduate of Oberlin College, a school teacher, and a woman of character and refinement. In every respect save that there were no children, the marriage proved an almost ideally happy one. His wife's whole-hearted

devotion was the most beneficent influence in Altgeld's life, while her intelligent counsel and assistance played an important part in all his undertakings. Of frail physique and sensitive nature like himself, she suffered even more acutely than he under the savage vilification showered upon him after the anarchist pardons. Throughout most of their married life, the precarious health of each was the constant concern and care of the other. Mrs. Altgeld survived her husband by thirteen years, dying in Chicago on March 30, 1915. She was the author of a novel called "The Nortons," written and published in middle age.

Immediately after his marriage, Altgeld rented a small house in Lake View, then one of the northern suburbs of Chicago but now well within the city limits, and here the young couple established themselves. At first it was a somewhat desperate struggle to make ends meet. Altgeld's law practice, while it had latterly yielded him a frugal living, was still too meagre to provide a sufficient income on the new domestic basis. As an economy measure, he decided to give up the downtown room which had previously served the double purpose of law office and living quarters, and to rent desk space from some other lawyer. Walking to town one morning, as was then his habit in order to save carfare, he was hailed by a passing neighbor, the more fortunate possessor of a horse and carriage, and invited to ride to the city. This neighbor was Adolph Heile, at that time a prominent attorney in Chicago. As a result of their talk during this drive, Mr. Heile at once offered Altgeld a desk in his own office. The offer was gratefully accepted, and within a few days Altgeld's scanty legal paraphernalia had been moved into the rooms occupied by Mr. Heile and his as-

sociate, Henry M. Shepard, afterward a judge of the Cook County Superior Court. From this point the young lawyer's fortunes began to mend rapidly. Both Mr. Heile and Judge Shepard took an active interest in his affairs, turning over to him what law business they could and introducing him to a number of men in Chicago whose friendship and influence were of great advantage to him, then and later. Somewhat uncouth in appearance and unpolished in manner as he was at that time, Altgeld nevertheless seldom failed to impress strongly and favorably those with whom he came in contact. His earnestness and sincerity were obvious almost at first glance, while his unusual legal ability proved itself in every test. Early in 1880 he left Mr. Heile's office and formed a law partnership with William S. Everett. This association, however, did not last long; and within a year he was conducting a fairly lucrative law practice entirely on his own account.

But neither now nor later did a legal career, however successful, satisfy Altgeld's large ambitions or absorb more than a part of his intense energy. As early as 1879 he had embarked upon those real estate and building operations, described in the next chapter, which were destined to make him a rich man and then in the final outcome to leave him virtually penniless. And with the rapid development of his professional and business interests, he began to drift more and more definitely into still another field of activity, the field in which he eventually attained national prominence. Whether from conscious choice or because of the all-engrossing struggle to earn a living, Altgeld gave little attention to politics for several years after coming to Chicago. He was known among his friends as a staunch Democrat and a keenly

interested student of public affairs, but it was never suspected at this time that he cherished any ambition to hold public office. Possibly, even probably, had he been able to choose his future path with entire freedom, he would have abstained altogether from playing any part on the political stage. He had seen something of practical politics during his campaign for state's attorney in Missouri, and that glimpse had created no overwhelming desire for a larger and closer view. The popular delusions in regard to the officeholding class were certainly not shared by him. Later at least, if not at the beginning of his public career, he knew this class for what it was—in his own words, "a cowardly hanging-on class, always careful to see how the wind blows before daring either to have or to express an opinion, and therefore a negative class. It does not lead in public opinion or in the formation of a public sentiment on any question." He knew also that the really influential persons are the successful private individuals in every walk of life—"even preachers, when they have sufficient independence to develop any individuality." "These are the men who mold public opinion and whose favor and support are sought by the politicians, and who, in the end, secure legislation and shape the policy of the country, using the officeholding class simply as an instrument by which to carry out a purpose." And in the same newspaper interview * from which these quotations are taken, he said: "While politics has a strong fascination for me, just as gambling has for some men, and I have consequently at different times taken part in politics, yet I have always felt that I would be a great deal better off and could do more for my country if I would let politics alone."

* *Chicago Evening Post,* July 31, 1891.

Altgeld's first political experience, during his life in Missouri, has already been described. Of his second venture into the same field, Judge Edward Osgood Brown writes as follows:

> Although my partner and I had both become intimate with him, the first intimation we had that he was nourishing any political ambition was when, to our astonishment, we saw in the newspapers that one or two votes (perhaps three or four) had been cast for him in an Illinois legislative caucus for the Senatorial nomination. Upon inquiring of him we learned, although he was rather reserved about it, that the votes had been cast by certain legislative friends of his, as the result of his own suggestion. He evidently had no hope of a caucus choice or election, but very wisely, since he had political ambitions, he had "thrown his hat into the ring," to bring to the public the knowledge of those ambitions and to bring his name into more public notice.

This must have been in 1881 or 1883. About the same time, or perhaps shortly before, Altgeld made the acquaintance of William C. Goudy, then counsel for one of the great railway systems terminating in Chicago and also something of a leader in the city and State Democratic organizations. Under Goudy's tutelage, Altgeld now began to take an active part in local political campaigns. More especially in the German sections of Chicago, and among the laboring classes, he soon became known as a political speaker who always made a favorable impression and always had something to say that was worth hearing. Largely on the strength of this reputation, backed by Goudy's influence, he received in 1884 the Democratic nomination for Congressman from the Fourth Illinois District. This district, comprising the aristocratic "north side" and the northern suburbs of

Chicago, was overwhelmingly Republican; but Altgeld conducted his campaign so skilfully and forcefully that, although defeated at the election (as he had fully expected to be), he succeeded in cutting down the normal Republican majority of the district by more than two thousand votes. Two years later, at the earnest solicitation of his political associates but much against his personal inclination, he accepted the nomination for a judgeship in the Cook County Superior Court, on the Democratic ticket. Here again he faced formidable opposition, the normal Republican majority in the county being about twelve thousand. During the same year (1886) Henry George polled his remarkable vote as Labor candidate for mayor of New York City. A Labor Party had recently sprung up in Chicago also. At its convention it decided by unanimous vote not to endorse any candidate of either of the "old line" parties; but upon a motion to reconsider, Mr. George A. Schilling convinced the delegates that this ruling should be waived in the case of judicial nominations, inasmuch as the Labor Party had no judicial candidates on its own ticket. So, on Mr. Schilling's motion, four such candidates on each of the "old line" party tickets were selected for endorsement—Altgeld among them. The Labor Party did not succeed with its own ticket at the ensuing election; but it polled a large vote, and all of the eight judicial candidates whom it had endorsed were elected.

Upon assuming office in December, 1886, Altgeld placed the routine management of his private business affairs in charge of his cousin, John W. Lanehart; and for nearly five years thereafter he gave to his judicial duties the best that was in him. During this period he achieved a high reputation among lawyers, litigants, and

general public alike for his fearless, independent, impartial, and courteous conduct as a judge. Although sometimes criticized by his associates for a seeming or actual disregard of legal technicalities and an occasional lack of respect for precedents, his integrity and ability were seldom if ever brought into question. His decisions were always clear, concise, and rational, bringing to bear upon the cases with which they dealt not only patient study and wide knowledge but also a rare commonsense. In the matter of general procedure, according to Judge Edward Osgood Brown, "he made a change in the method of instructing juries in his Court, which tended strongly to aid justice and secure the intelligent consideration of the facts by the juries. This practice which he habitually used was then and is now needed in the interests of a proper administration of the law in Illinois." In 1890 his associate judges of the Superior Court did him the honor of making him the Chief Justice of their court. In July of the following year he surprised all who knew him by handing his resignation from the bench to Governor Fifer. The pressure of private business affairs, he said, made it impossible for him to give to his judicial duties that undivided thought and attention which they demanded and should receive. But this reason, although valid enough, was undoubtedly not the only reason which impelled his action. The position had become irksome to him; his energetic nature required a far less circumscribed field of activity. After nearly five years of experience as a judge, he was acutely aware of the truth which he afterward stated as follows in his little book called "The Cost of Something for Nothing":

As a rule, men elected to the bench have established a reputation of being men of strong character and growing intelligence, and if they had remained off the bench they would have continued developing. But as soon as a man is elected to the office of judge, all growth seems to cease; and after years of experience on the bench, he not only has not grown but he has deteriorated.

There are several reasons for this. In the first place, his active life ceases. He literally and figuratively *sits down*. Growth, strength and greatness come from contest. The judge being relieved of contest, of life's fierce struggle, naturally becomes phlegmatic, and development is impossible. And then he ceases to create, to shape and to originate. It is his business to discover and apply what others have said.

A large portion of his thought is taken up with the consideration of little things—drawing learned distinctions between tweedle-dee and tweedle-dum. The effect of this is belittling.

Instead of the independence which comes from fighting life's battles, which develops greatness, the judge too often, unintentionally and unconsciously, becomes merely the expression of what is for the time the dominant influence of the land. This dominant influence is like the pressure of the atmosphere; it envelops him, and is almost irresistible. It requires tremendous strength of character to rise above it and be guided solely by the pole-star of justice.

It was not in Altgeld's nature to stagnate, to cease growing, to become "merely the expression of what is for the time the dominant influence of the land." And this, no less than the pressure of personal affairs, must have played its part in determining his resignation from the bench. That resignation was accepted; and on August 1, 1891, he became a private citizen once more. From this time until the beginning of the following summer, he was chiefly occupied with his own business undertakings—

particularly with the Unity Building, the most ambitious of those undertakings.

In the early eighties, with the establishment of his law practice upon a fairly secure basis, Altgeld had begun to devote a good deal of systematic thought and study to important questions of the day. The first tangible fruit of this study was a volume entitled "Our Penal Machinery and Its Victims," published by a Chicago firm in 1884. The barbarous and futile methods of society in dealing with its "criminal" by-products have found more eloquent and perhaps more scientific critics since; but Altgeld's little book was almost a pioneer of its sort in this country, and it aroused much discussion. Two years later he contributed an extended article on "Protection of Non-Combatants, or Arbitration of Strikes" to a Chicago newspaper; and this was followed, from 1888 to 1892, by magazine or newspaper contributions on such subjects as "Pensions for Soldiers," "The Administration of Justice in Chicago," "Slave-Girls of Chicago Factories," "Anonymous Journalism and Its Effects," "The Immigrant's Answer," and "Good Roads." He also made occasional appearances as a public speaker on non-political subjects, the more important of his addresses during this period being those on "Unnecessary Imprisonment," "The Eight-Hour Movement," "What Shall We Do With Our Criminals?" and "The Government of Cities." All of these writings and speeches, together with letters, newspaper interviews, etc., were collected and published in 1890, under the title of "Live Questions." * Through the cir-

* A second and much enlarged edition of this book appeared nine years later. It is to this enlarged edition that the occasional citations in the present pages refer.

culation of this volume, Altgeld became widely known as a vigorous exponent of radical views, an original critic of the social maladjustments of his day, and a formidable champion of the "under dog." To that reputation, perhaps not less than to his political astuteness shown in the Congressional campaign of 1884 and to his record as a judge on the Cook County bench, did he owe his success in securing the nomination for Governor of Illinois in 1892.

Of those who knew Altgeld with some degree of intimacy during those early years in Chicago, only Judge Edward Osgood Brown seems to have set down any detailed record of the man and his life at this period. In addition to the extracts already given from Judge Brown's reminiscences, the following is well worth quotation here:

His life was laborious always; it was hard and narrow as well, until the kindness and encouragement shown him by the late Mr. Goudy and Judge Shepard, and others—to all of whom he never failed to express and to show his deep gratitude—placed his fortunes at a higher point than unaided he could as soon have struggled to. Even then, and after his marriage, the ill health of his wife and of himself might well have daunted a less determined and unconquerable will. Once with his wife ill in an adjoining room, he, stretched helpless on his bed in another, with difficulty securing even the attendance necessary for the most ordinary household duties, alternating between a burning fever and wretched chills, sent for me and insisted that I should bring for our joint consideration the brief of our antagonists in a pending law suit in which our reply was shortly due. Nothing appalled him, nothing turned him back, and yet he was nearly always a reserved, quiet, self-contained and self-controlled man. Injustice to himself as to others did stir him sometimes to impassioned speech. I remember

well a rebuke and indeed a punishment inflicted upon him for quick resentment in a court room to a personal attack on him made by counsel opposing him in a law suit in which he was personally interested. He was at the time himself upon the bench. More loyal than the Prince, more papal than the Pope, some of his friends called on him—and I among them—to express their displeasure at the discipline inflicted on him by his brother Judge.

"Nonsense," he answered, "it was exactly right. I was angry, acted foolishly and was treated according to the Judge's duty and my own deserts."

I mention this that you may see that, long mindful of injuries and injustice as he might be, his was not the blind vindictiveness which his foes ascribed to him.

His self-reliance was superb. Once in a time of personal discouragement a friend of mine went to him and asked his advice as to whom he should turn for comfort and counsel. His answer was characteristic and it was a favorite idea of his I have often heard him express.

"Ask no man! Go out into the night and look straight up to the stars. Take comfort and counsel of them."

Interesting and significant in connection with more than one phase of Altgeld's activities dealt with in the present chapter is a letter which he wrote in June, 1890, to Henry D. Lloyd of Chicago, at that time a stranger to him. This letter marks the beginning of an intercourse between the two men which soon ripened into devoted and lasting friendship.

My dear Mr. Lloyd:

I have read your pamphlet on *The New Conscience* and cannot resist saying to you that I would rather be the author of one such article than to hold any office in the gift of the American people. It will do more for the cause of humanity and will bring a greater

meed of fame to its author than would a lifetime of the average high office-holding.

Accept my congratulations and go on with your work. The future will know you and coming generations of suffering humanity will rise up and bless you.

With best regards,
Your obt. servant,
JOHN P. ALTGELD.

CHAPTER IV

BUSINESS OPERATIONS—THE UNITY BUILDING

For nearly four years after he settled down in Chicago, the struggle to gain a bare livelihood from his law practice absorbed the whole of Altgeld's energies. By the close of 1879, however, he could at last lay claim to some small margin of time and thought and cash beyond the minimum requirements of his profession and his home. This margin, once gained, was immediately turned to profitable account. After a careful study of conditions in the local real estate field, Altgeld invested five hundred dollars in a city building lot, which he soon thereafter sold at an excellent advance. Several ensuing transactions of the same sort proved no less lucrative; and by 1882 he had acquired sufficient capital and confidence to make a cast for larger stakes. As noted in the preceding chapter, he was now living in Lake View, just outside the city limits. This suburb was still for the most part undeveloped; but Altgeld realized its possibilities in connection with the inevitable expansion of Chicago, and he resolved upon a venture which for extent and daring was almost unique in local real estate annals. With the financial aid of one or two wealthy friends, he acquired title to some seventy-five acres of vacant property in Lake View, making an initial cash payment of $30,000 on the total purchase price of about $200,000 and carrying the remainder on mortgages and notes. Then, largely

with borrowed money and the proceeds of occasional sales while the work was under way, he improved the property as a home-builders' subdivision, and gradually sold off the lots at a handsome profit.

In this transaction, which established his reputation as a shrewd and far-seeing business man, Altgeld had the active assistance of his cousin, John W. Lanehart, who had come to Chicago from Ohio in 1881. With the same able help, he now turned to other and even larger operations. As in the case of the Lake View enterprise, these were conceived and carried through with a boldness that seemed close to recklessness. But while appearing to take heavy chances, he seldom acted without keen and unsparing analysis of all the factors in a situation. His faith in the expansion of Chicago's residence section had been justified; he now put to the test his faith in the development of its business district by purchasing several unimproved lots on Market street, between Jackson and Van Buren, near the southwestern edge of the city's active wholesale centre. Here he erected a seven-story office building which, contrary to nearly all the predictions of local real estate men, was well rented from the start. From this success he went on buying and building in various parts of the city and its suburbs, until by the end of 1890 his property holdings were commonly reputed to be worth not less than a million dollars.

During the late eighties, Altgeld made a moderately successful venture into still another field of business activity, a field which at that time remained largely unexploited. On one of the periodic visits to his parents, he secured the first franchise to be granted for a street railway in Newark, Ohio, then a town of some twelve thousand inhabitants, not far distant from the region in which

his boyhood and youth had been spent. Under this franchise a mile or so of track was constructed in 1888, and equipped with rolling stock in the shape of four box cars twelve feet long, the motive power being supplied by mules. Later, the track was considerably extended, new equipment purchased, and the mules discarded in favor of electricity. About the time of his nomination for Governor of Illinois, in 1892, Altgeld sold the entire property for $100,000. A similar franchise which he had acquired in the neighboring town of Mansfield was never utilized, owing to operating difficulties inherent in the hilly character of that locality.

The story of Altgeld's most ambitious and fateful enterprise, the Unity Building in Chicago, now remains to be told. Part of that story belongs chronologically to a later section of this book, and involves some phases of his career not yet dealt with in these pages; but, for continuity's sake, the full account will be given here. At the outset it should be emphasized that after about 1885, when he had become fairly well-to-do, Altgeld's business activities were chiefly if not wholly the expression of an intense creative and organizing instinct. Once when he was chided by a friend for risking his personal fortune in continued building operations when he might have retired in pecuniary comfort, he replied: "I am childless, and I look upon my buildings as children which will survive me and benefit the generations to come." In that spirit he conceived and planned the Unity Building. It was his ambition ("the great ambition of my life," he told some one at the time) to erect the finest office building in the world. In pursuance of this purpose, he selected a site in the heart of Chicago's business section, with a frontage of eighty feet on Dearborn street and a depth of one

hundred and twenty feet. A ninety-nine year lease, at an annual rental of $18,000, was negotiated for this site; and plans were drawn up by Clinton B. Warren, one of Chicago's prominent architects, for a sixteen-story fireproof building, to contain six hundred offices. These plans embodied nearly every detail and arrangement then known to make the building a model of its kind. Early in 1891 the old Unity Building on the same site, dating from soon after the Chicago fire, was demolished and work on the new structure begun. After a few months of smooth and rapid progress, serious trouble developed. Under a party-wall agreement, the brick wall of a six-story structure adjoining the Unity Building on the north had been partially cut away in places so that upright iron pillars for the north wall of the new building might be set on the party line. It was later discovered that the vibration from a heavy steam engine used in hoisting construction material to the upper floors had caused loose pieces of brick and mortar to fall in between these pillars and the adjoining wall of the old structure, forming wedge-like masses which gradually forced the entire Unity framework out of plumb to the south. When this discovery was made the steel skeleton was nearly completed, and sections of the brick side-walls were in place. Altgeld at once ordered the brickwork torn out, while all new construction was halted until the fault could be remedied. Engineers employed for his latter purpose worked out an elaborate plan which was put into effect with apparent success; but upon completion of the structure it was found that the framework had sprung back to its original faulty position, being about twelve inches out of perpendicular at the top. This misfortune, from first to last, added a heavy burden to the construction costs,

and was in large degree responsible for the financial disaster that later overtook Altgeld. It also threatened to interfere rather seriously with rental plans, as many prospective tenants were led to believe through exaggerated newspaper reports that the structure was actually unsafe.

But all of this trouble was temporarily forgotten in the acclaim which greeted the building upon its formal opening, in the early summer of 1892. Experts and general public alike declared that Chicago's new "skyscraper" had no peer among existing commercial structures. For a time also, success on the financial side seemed assured, as tenants were plentiful enough at the beginning. Altgeld found little but pride and satisfaction in his enterprise at this stage. Those who knew him well have said that the Unity Building was his only personal achievement of which he was ever heard to boast. "I remember," writes Miss Jane Addams, "that when Mr. and Mrs. Sidney Webb were visiting Hull-House [in 1893] we took lunch downtown with Governor Altgeld. He gave them a little outline of his history, and when he had finished the remarkable story they asked him what achievement in his career had given him the most satisfaction. Without a moment's hesitation he replied, 'The Unity Building.' Our guests were quite bewildered, not understanding how the erection of an office building could have meant so much to him, although I think his history might have given a certain interpretation."

In attempting to describe the complications which led to Altgeld's subsequent financial ruin in connection with the Unity Building, it is necessary to go back to the beginning of that project. The architect's original plans

called for an outlay of $600,000. Besides such available capital of his own as he could put into the enterprise, Altgeld reckoned at the outset upon floating a loan of $400,000, in the form of first mortgage bonds secured by a trust deed upon the building and the ground leasehold. Early in 1891 a loan was negotiated on this basis through the Equitable Trust Company with the Chicago National Bank, of which John R. Walsh was president and virtual dictator. Walsh had come to Chicago from Ireland some forty years before, a youngster of eleven, and starting out as a newsboy had fought his way up to a position of wealth and influence. Possessed of immense animal energy and a fund of native shrewdness, he was at the same time illiterate, self-willed, domineering, unscrupulous—a sort of lesser Mark Hanna, with few if any of Hanna's redeeming traits. He knew the workings of the politico-financial "system" down to its smallest detail. The bank which he founded in 1882 was patronized largely by politicians, and derived a considerable share of its revenue from deposits of public funds and the bonding of public officials. In addition, he owned a leading Chicago newspaper, the local Democratic party organ; and he was a ruling factor in the bi-partisan ring which controlled the city council and sold the favors of that body to the highest bidders. During the nineties, Walsh's power was at its height; and through his bank, his newspaper, and his political machine he exercised that power with a rough hand. It is difficult to understand how Altgeld could have voluntarily placed his financial fortunes at the mercy of such a man, particularly as the two had already clashed during Altgeld's early political activities in Chicago. Aside from the circumstance that one of his trusted friends was

an officer in Walsh's bank, the reasons which impelled him to take a step which he must have realized was potentially dangerous, and which some of his advisers strongly disapproved, are not now apparent. The fact remains that in practical effect he undertook to finance the Unity Building by grace of John R. Walsh—for which error of judgment, the gravest of his entire career, he was destined to pay a heavy price.

Under the loan agreement, as arranged with the Chicago National Bank, the latter was to market the bond issue and turn over the proceeds in instalments as work on the building progressed. No difficulty arose in this connection until the discovery, a few months after construction started, that the steel framework was out of plumb. Walsh then claimed, perhaps with justice, that this fault was sufficiently serious to impair the security of his loan, and that the amount of the bond issue must therefore be reduced. After some controversy, Altgeld agreed that $100,000 in unsold bonds should be cancelled, leaving in force an original first mortgage issue of $300,000, which was eventually sold out by the bank in full. In conjunction with the large additional outlay occasioned by the construction fault, this shrinkage in his loan placed Altgeld in a difficult financial position. To complete the Unity Building he was obliged to borrow money in comparatively small amounts wherever and however he could, and also to give his personal notes to contractors and material men. Some time after the building was opened, and during the period of its first brief prosperity, he found it possible to negotiate a new loan with the National Bank of Illinois for $400,000, his plan being to use $300,000 of this to retire the existing bond issue and thus terminate his relations with John R.

Walsh, and with the remaining $100,000 to pay off in part his personal obligations in connection with the later construction costs. It was mutually understood beforehand that Walsh would accept the $300,000, cancel the bonds, and release the trust deed, which latter would thereupon be deposited as security for the new loan. But Altgeld had meanwhile been elected Governor of Illinois, and in that capacity had refused at the outset to accept Walsh's attempted dictation in respect to policies and patronage. When the money for retiring the first bond issue of $300,000 was tendered to Walsh, he declined to receive it, asserting that those who had purchased the bonds would not surrender their holdings. Altgeld then asked that he be given the names and addresses of the bond-holders, so that he could negotiate with them directly; but Walsh refused to divulge this information. As a result, the whole matter fell through; although the National Bank of Illinois later relieved Altgeld to some extent by loaning him about $40,000 on the collateral of $100,000 in new bonds secured by a second mortgage on the Unity Building.

From this point Altgeld's financial affairs went rapidly from bad to worse. During the hard times which set in about the middle of 1893 at least half the Unity Building tenants vacated, unable to pay their rent; and from the beginning of the following year until early in 1897 the building produced scarcely more revenue than was required to pay ground rent and operating costs. At the same time, Altgeld's other property interests in Chicago, now heavily encumbered, suffered a severe shrinkage in value. The expenses of his campaign for Governor in 1892 had come largely from his own pocket, and after election he could necessarily give but little attention to his

private business affairs. As a result, one investment after another had to be sacrificed to meet interest charges and the payment of bonuses on personal loans. Walsh's long-cherished animosity was at last aroused to a virulent stage by Governor Altgeld's veto of the "eternal monopoly bills" in 1895. As perhaps the leading politico-financial boss of Chicago, Walsh had a large stake in the Napoleonic banditries of Charles T. Yerkes, and the veto was a severe blow to both his pecuniary interests and his political prestige. When, in 1896, the Unity Building defaulted on the interest of its bonds, Walsh showed no mercy. A receiver was appointed by court order, foreclosure proceedings were instituted, and the property sold for the bond-holders' benefit. Soon thereafter the National Bank of Illinois failed, and its assets were disposed of at public sale—among them the second mortgage bonds amounting to $100,000 which the bank had acquired from Altgeld. Another foreclosure suit was brought by the purchasers of these bonds; and in this case, as in the previous one, the bond-holders received principal and interest in full. Altgeld's equity of something like half a million dollars in the property was completely wiped out by these proceedings. The Unity Building passed into other hands; and its creator, now virtually penniless, could find consolation only in the knowledge that no other person had suffered loss in an enterprise which had brought about his own financial ruin.

It is possible that the part played by John R. Walsh in this episode has been over-emphasized, here and elsewhere. One must admit that other factors and conditions were involved which might have worked out to the same tragic end, without his participation. Neverthe-

less, those who were most familiar with Altgeld's private affairs at the time feel convinced that he could have weathered the storm and saved the Unity Building had it not been for Walsh's hostile conduct—particularly his breach of faith in connection with the proposed financial reorganization in 1893. As a perhaps not irrelevant footnote, it may be added that the sardonic gods had their way later on with John R. Walsh. After the scandalous failure of his bank in 1905 he served a penitentiary term of several years, being pardoned at last only that he might die outside of prison, a broken and ruined old man.

During the presidential campaign of 1896, Republican newspapers and platform speakers made much of the fact that, while Altgeld was an ardent champion of silver, his Unity Building leases contained a so-called "gold clause" of the sort commonly found in such documents although seldom enforced. In reply to someone who inquired about this alleged inconsistency, the Governor's private secretary pointed out that Altgeld had nothing to do personally with the making of leases for space in the Unity Building, that the leases were executed upon printed forms regularly sold by Chicago stationers and regularly used by nearly all Chicago property owners, and finally that the building had been erected in part with borrowed money for which bonds were issued and the bank which purchased the bonds had stipulated that rentals should be secured by a gold clause. But this statement, conclusive as it was, had small weight with the canard-mongers, who went on cackling to the end of the campaign about their "proof" that Altgeld was a "gold man" at heart.

CHAPTER V

CAMPAIGN FOR GOVERNOR OF ILLINOIS

In connection with Altgeld's resignation from the bench, during the summer of 1891, it will be recalled that he explained this action as due to the pressure of private business affairs, which made it impossible for him properly to fulfill his duties as a judge. With the huge Unity Building project under way, as it then was, this explanation seemed reasonable enough. Nevertheless, there were many who believed that political motives and ambitions were really at the bottom of his decision—that he was leaving the bench in order to try for the governorship of Illinois or a seat in the United States Senate. But, at the time, Altgeld explicitly denied that he was seeking or even desired election to any public office. In a newspaper interview of July 31, 1891, his last day on the bench, he replied to some direct questions on this subject as follows:

"Will you in future take part in politics?"

"I do not expect to take any more interest in politics than any other ordinary citizen."

"Is there any truth in the statement that you are a candidate for the office of Governor?"

"No. I am not a candidate for any office."

"Suppose you were tendered the nomination, would you accept it?"

"That is an idle supposition. There is going to be a scramble

next year for the nomination for Governor. I do not want to be Governor, and naturally do not wish to enter a scramble for something I do not want. . . . I believe in the private individual. . . . While politics has a strong fascination for me, and I have consequently at different times taken part in politics, yet I have always felt that I would be a great deal better off and could do more for my country if I would let politics alone."

"Have you, then, no future policy in regard to political life?"

"Absolutely none."

There is no valid reason for doubting the sincerity of these statements. Aside from all other considerations, it is obvious that one who was seeking immediate political preferment would never have spoken his mind so freely as Altgeld did, elsewhere in this same interview, regarding the cowardice and futility of office-holders as a class.* "The successful private individual," he said, "the man who has convictions and who dares to express them, is the important factor in American society." Undoubtedly, at the moment, this is the rôle which Altgeld preferred and intended to play. But external pressure, together with that personal propensity which always drew him against his own better judgment toward the arena of politics, brought about a radical change in his position within a few months. Soon after his resignation from the bench, many influential Democratic leaders of the State were urging him to enter the lists as a candidate for Governor, and to such importunities were added those of personal friends no less interested than himself in the advanced theories of social and economic reform which he championed. The chances for Democratic success in 1892 grew rosier as the campaign approached; here was an opportunity, seemingly well within

* See "Live Questions," pages 338–39.

his reach, which might not come again. It is impossible at this distance of time definitely to date Altgeld's change of heart regarding the gubernatorial nomination, but it must have occurred early in 1892. At any rate, the fact that he was seeking the nomination seemed to be generally known several weeks before the State Democratic convention met in April of that year.

Pertinent at this point is the following passage from Mr. Brand Whitlock's fascinating autobiography, "Forty Years of It," in which the writer tells of his first meeting with the man whom he characterizes as "one of the most daring pioneers of the neo-democratic movement in America, and the most courageous spirit of our times":

> It was on a cold raw morning [early in 1892] that I met Joseph P. Mahony, then a Democratic member of the State Senate, who said:
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> "Come with me and I'll introduce you to the next governor of Illinois."
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> It was the time of year when one was meeting the next governor of Illinois in most of the hotel corridors, or men who were trying to look like potential governors of Illinois, so that such a remark was not to be taken too literally; but I went, and after ascending to an upper floor of a narrow little building in Adams Street, we entered a suite of law offices, and there in a very much crowded, a very much littered and a rather dingy little private room, at an odd little walnut desk, sat John P. Altgeld.
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> The figure was not prepossessing; he wore his hair close-clipped in ultimate surrender to an obstinate cowlick; his beard was closely trimmed, too, and altogether the countenance was one made for the hands of the cartoonists, who in the brutal fury that was so soon to blaze upon him and to continue to blaze until it had consumed him quite, could easily contort the features to the various purposes

of an ugly partizanship; they gave it a peculiarly sinister quality, and it is one of the countless ironies of life that a face, sad with all the utter woe of humanity, should have become for a season, and in some minds remained forever, the type and symbol of all that is most abhorrent. There was a peculiar pallor in the countenance, and the face was such a blank mask of suffering and despair that, had it not been for the high intelligence that shone from his eyes, it must have impressed many as altogether lacking in expression. Certainly it seldom or never expressed enthusiasm, or joy, or humor, though he had humor of a certain mordant kind, as many a political opponent was to know.

He had been a judge of the Circuit Court, and was known by his occasional addresses, his interviews and articles, as a publicist of radical and humanitarian tendencies. He was known especially to the laboring classes and to the poor, who, by that acute sympathy they possess, divined in him a friend, and in the circles of sociological workers and students, then so small and obscure as to make their views esoteric, he was recognized as one who understood and sympathized with their tendencies and ideals. He was accounted in those days a wealthy man,—he was just then building one of those tall and ugly structures of steel called "sky-scrapers,"—and now that he was spoken of for governor this fact made him seem "available" to the politicians. Also he had a German name, another asset in Illinois just then, when Germans all over the state felt themselves outraged by legislation concerning the "little red school-house," which the Republicans had enacted when they were in full power in the state.

So astutely and energetically did Altgeld promote his candidacy during the early spring of 1892 that when the Democratic State convention assembled at Springfield on April 27 the expected scramble for the gubernatorial nomination failed to take place, and he was chosen on the first ballot. A week later the Republicans nominated Governor Joseph W. Fifer, then in office, for a second

term. State tickets were also put in the field by the People's party and the Prohibitionists. At the national conventions, held in June, ex-President Cleveland and President Harrison were selected to head the national Democratic and Republican tickets respectively.

Throughout the country, political conditions were on the whole favorable to the Democrats. The efforts of a Republican Congress to pass the so-called "force bill" of 1890 had aroused great resentment not only in the South but in those adjacent States, such as Illinois, where "negro domination" was still a compelling bogey. Enactment of the McKinley tariff act, later in the same year, had been followed immediately by soaring prices, financial depression, and industrial disturbances. The unpopularity of these two measures was mainly responsible for a sweeping Democratic victory in the Congressional elections of November, 1890, the existing Republican majority of about twenty in the national House of Representatives being replaced by a Democratic majority of nearly one hundred and fifty. During the next two years little was accomplished by way of restoring general confidence in Republican policies and acts. Harrison's renomination for the presidency in 1892, while perhaps inevitable according to party traditions, evoked no popular enthusiasm; Cleveland, on the other hand, had gained greatly in public favor since his retirement from the White House in 1889. Scarcely was the campaign under way before the Homestead riots of July, 1892, following on the heels of other less bloody but still serious labor troubles, placed the Republicans under a new embarrassment.

In Illinois, for nearly forty years a well-nigh impregnable stronghold of the "grand old party," conditions

were especially propitious for the Democrats. Resentment of the Republican "force bill" of 1890 was almost as acute here as in the South; while the McKinley tariff act, which had been solidly supported by the State's Republican representatives in Congress, was proving a heavy liability for the prevailing party. Here, also, Republicans were much worried over the unexpected strength revealed in the elections of 1890 by the new People's or Populist party. Between this organization (legitimate heir to the previous Greenback and Farmers' Alliance movements) and the Democrats there existed a certain friendliness which had more than once led to open coalition on State tickets, while local fusion was a fairly common occurrence. In 1891 Democratic members of the State legislature succeeded, with the help of a few independent "farmer" members, in electing General John M. Palmer to the United States Senate. After this victory, unlooked for as it had been by most of the party leaders, Democratic hopes rose high, and Democratic success in the State and national elections of 1892 seemed not beyond the bounds of reasonable possibility. The selection of an Illinois man, Adlai E. Stevenson, as running mate to Grover Cleveland in the presidential contest served to brighten the prospect still further. An excellent summary of circumstances, issues, and events in the State campaign is embodied in the following passage from the "Centennial History of Illinois":

> Conditions within the state offered such palpable breaches for assault that when the democrats selected John P. Altgeld to head their ticket, republicans wondered whether after thirty [-six] years they might lose control of the gubernatorial chair. Could Fifer, as the logical republican candidate for reelection, success-

fully measure swords with him? Chicago politicians knew and feared Altgeld as a bewildering paradox: at once a consummate politician, and a real friend of the people. Elected judge by the democratic labor party and long influential in the radical wing of the democracy, he had always displayed uncanny finesse in the political game—a gift which was potentially at the service of the weak. Still, it was felt that a man so frankly a friend of labor suffered a handicap which would make it possible to wreck his political hopes. But before the gubernatorial campaign was officially launched, Altgeld threw about his political weaknesses a protective cloak of other issues.

He well knew that his liberal views on social and economic questions, which made certain the support of the idealist, the humanitarian, and the laboring man, would readily lend themselves to misrepresentation and calumny; in the parochial school question he found an issue which would bind to him large classes not otherwise to be won. The Catholic, and particularly the Lutheran, population of the state had become greatly exercised over the compulsory school law of 1889, which required the teaching of reading and writing in English. The fear that the authority of parent and of priest, that even the "liberty of religion" were being trenched upon, led to a determined demand from this body of voters for the law's repeal. Altgeld, while declaring himself and the democratic party thoroughly in sympathy with the principle of compulsory education, made himself the champion of these religious groups. At a meeting of the state committee, "Judge Altgeld's plan of campaign was endorsed and it was decided to make the school question the main issue of the state canvas—'we want a law enacted that will insure the rudiments of an education to every child without trenching upon religious grounds and without doing violence to the doctrines that lie at the base of republican institutions.'"

The republicans vigorously protested at being thus saddled with the onus of a nonpartisan bit of legislation which had inadvertently aroused a tempest. They pointed out to the foreign groups

that when the measure received the enthusiastic support of members of all parties in the thirty-sixth general assembly no one suspected the existence of the objectionable features that appeared in its practical operation; republicans were eager that these features be removed. The offended voters, however, heeded this explanation little when it became clear that republicans were appealing to the native Americans to support the "little red schoolhouse." . . .

Meanwhile Altgeld's "political handshake," as it was bitterly dubbed by his opponents, had brought him a wide acquaintance over the state. Early in the summer he had quietly travelled from county to county in a pre-campaign trip, holding informal receptions for the hundreds of farmers or miners who had driven in to meet him or "plodding about the muddy streets getting acquainted with people and giving them an opportunity to get acquainted with him."

In the state campaign Altgeld proceeded on his theory that the "principal cause that will lead to Democratic victory is not a party issue. It is the growth of the mighty trusts and powerful and unscrupulous monopolies . . . under the wing of Republican legislation. The common people are becoming alarmed at the extent of these trusts." With that passionate earnestness which characterized him, he reviewed state evils and he boldly revealed national and state extravagance; in Illinois were institutions where "it took $600,000 to pay and keep employees to expend $400,000 on the inmates of the institution." His attacks on the evils of the convict labor system, against which organized labor had long protested, and on the abortive efforts of recent legislation to remedy these evils under the republican administration, and his accusations of neglect in many other fields of law enforcement roused the republican press to frenzy. The "deliberate and malicious falsehoods" of a "brazen demagogue," the fomenter of foreign knownothingism, the sympathizer with the "georgeites," the millionaire labor leader, were themes which the republican press enlarged upon.

With Altgeld's subsequent public career in mind, these last-quoted newspaper phrases have a certain premonitory tinge, like the first sporadic notes of a crashing Wagnerian overture. At the moment, however, his star was in the ascendant. Epithets and personal obloquy could not stay the rushing Democratic tide. Disgust with Republican policies, both State and national, of course contributed largely to the final result in Illinois, as did also ex-President Cleveland's popularity at this time. But these factors were, upon the whole, less decisive than the political ability, tireless effort, and genius for organization which Altgeld injected into the contest. He had opened his campaign with a personal tour of the State, going into the towns and villages of every county, making no speeches but meeting the voters on their own ground and conferring with local politicians. In September he made a second tour of Illinois, this time speaking in most of the larger towns and cities—first of all in Joliet, on the same platform where he was fatally stricken ten years later. A few important speeches in Chicago during October brought the campaign to a close. In the election of early November, Altgeld received 425,497 votes, as against 402,659 cast for his Republican rival, Governor Fifer. Illinois, long counted safe for a Republican majority of from twenty-five to fifty thousand, had at last gone Democratic. For the first time in nearly forty years she had elected a Democratic State administration; for the first time in her history she had chosen as Governor a citizen of foreign birth.

By way of bringing this chapter to a close on the personal rather than the political note, we quote again from Mr. Brand Whitlock's "Forty Years of It," which alone

among contemporary records conveys any vivid sense of Altgeld's personality. The incident described here is a trivial one, but none the less it reveals something that is humanly characteristic and illuminating. At the time of which he is writing (the summer of 1892) Mr. Whitlock was a newspaper reporter in Chicago; after mentioning some of the qualifications which made Altgeld an "available" candidate for Governor, he goes on to say:

But my paper did not share this enthusiasm about him; it happened to be owned by John R. Walsh, and between Walsh and Altgeld there was a feud, a feud that cost Altgeld his fortune, and lasted until the day that death found him poor and crushed by all the tragedy which a closer observer, one with a keener prescience of destiny than I, might have read in his face from the first.

The feeling of the paper, if one may so personalize a corporation as to endow it with emotion, was not corrected by his nomination, and *The Herald* had little to say of him, and what it did say was given out in the perfunctory tone of a party organ. But as the summer wore on, and I was able to report to my editors that all the signs pointed to Altgeld's election, I was permitted to write an article in which I tried to describe his personality and to give some impression of the able campaign he was making. Horace Taylor drew some pictures to illustrate it, and I had the satisfaction of knowing that it gave Altgeld pleasure, while at the same time to me at least it revealed for an instant the humanness of the man.

He sent for me—he was then in offices in his new sky-scraper—and asked if I could procure for him Horace Taylor's pictures; he hesitated a moment, and then, as though it were a weakness his Spartan nature was reluctant to reveal, he told me that he intended to have my article republished in a newspaper in Mansfield, Ohio, the town whence he had come, where he had taught school, and where he had met the gracious lady who was his wife. He talked

for a while that afternoon about his youth, about his poverty and his struggles, and then suddenly lapsed into a silence, with his eyes fastened on me. I wondered what he was looking at; his gaze was disconcerting, and it made me self-conscious and uneasy, till he said:

"Where could one get a cravat like the one you have on?"

It was, I remember—because of the odd incident—an English scarf of blue, quite new. I had tried to knot it as Ben Cable of the Democratic National Committee knotted his, and it seemed that such a little thing should not be wanting to the happiness of a man who, by all the outward standards, had so much to gratify him as Altgeld had, and I said—with some embarrassment, and some doubt as to the taste I was exhibiting—"Why, you may have this one."

In a moment his face changed, the mask fell, and he shook his head and said: "No, it would not look like that on me."

CHAPTER VI

THE ECONOMIC AND POLITICAL BACKGROUND IN 1893

As in the case of any other professed reformer, Altgeld's public career and accomplishment can only be properly gauged with direct reference to the conditions, economic and political, of his time. It seems desirable, therefore, before dealing with the events of his administration as Governor of Illinois, to sketch those conditions in briefest possible outline—trite though such an outline must necessarily appear to many readers.

The period of Altgeld's chief political activities, including of course his term of office as Governor, synchronized almost precisely with one of the great transition stages in American history. Indeed, more than one of our historians have maintained that from about 1885 to about 1900 a larger number of more acute problems were pressing for solution in the United States than during any other period of equal length, with the possible exception of that immediately following the establishment of our government in 1789. Most of these problems were essentially economic in nature, growing out of the conviction held by large sections or groups of people that they derived far less than their just share of the result from the national processes of production and distribution. The remedies proposed were many and various —free silver, free trade, free labor-organization, rail-

way regulation, curbing of the "trusts," and what not; but the underlying disaffection sprang from a common source. Even such matters as national foreign policy and civil service reform, then under heated discussion, were by no means unrelated to the central economic issue.

Throughout most of the first decade after the Civil War, reconstruction had held the centre of the stage. The succeeding ten years were chiefly notable as an era of commercial, industrial, and agricultural expansion on a scale hitherto unparalleled. American industrial society, as we know it today, had its real beginnings during this decade of vast economic development. Never before were such rich rewards offered to the energetic, the bold, the far-sighted, the unscrupulous, in every field of material enterprise. Monopoly, turned loose in the fat tariff-hedged pastures of our natural resources, and as yet neither bitted nor bridled, grew to giant stature and proceeded to use its strength in giant-like fashion. While this unfolding and exploitation of seemingly limitless economic opportunity had so far been a source of immense pride to Americans in the mass, some of its more sinister reactions already pressed heavily upon particular groups —as for example, the western and middle-western farmers, whose grievances found organized expression first in the somewhat abortive Granger and Farmers' Alliance movements, then in the more formidable People's or Populist party. A still larger group consisted of the country's industrial laborers. For a time an indirect beneficiary of the new prosperity, this group had later been able to hold its own under more adverse conditions as long as undeveloped land was being opened up in the West. But with the gradual effacing of the frontier in the late seventies and early eighties, it found itself at the

mercy of the huge combinations of capital which in large part controlled national industry. The large-scale organization of employers in "trusts" and "pools" of various sorts began to be met by the large-scale organization of workers in trade unions; and the relative strength of these two forces was being put to the test in one bitter industrial struggle after another. By 1885 economic discontent had transcended the limits of special groups and permeated all classes of the people save those who held the reins of political and economic authority. Independent producers and small business interests were everywhere clamoring for a curb upon monopolistic tyranny; farmers and small shippers were crying for relief from railway extortion and discrimination; industrial workers were demanding legal guarantees in regard to the eight-hour day, safety devices, factory inspection, employers' liability, limitation of child labor, the right to organize—guarantees of which there were as yet only a few crude beginnings upon the statute books. In time this nation-wide agitation became so insistent that it could no longer be ignored by legislative bodies. As a result, the Federal Interstate Commerce Act was passed in 1887, and the Sherman Anti-Trust Law in 1890; although, save as weapons to be used against organized labor, both of these measures remained long ineffective. A few feebly ameliorative labor laws and feebly restrictive railway laws were also enacted by some of the State legislatures during this period. But these small concessions were only secured by virtue of a tremendous effort. Then, as in only slightly lesser degree today, it was the self-protective fashion of politicians, the press, and other beneficiaries of privilege to ascribe the prevailing economic unrest not to its natural and inevitable

causes but to the imaginary activities of imported "agitators," intent upon planting the seeds of European communism and socialism in the fair soil of America.

The politicians of that era had need for all the self-protective devices they could lay their hands to, because their profession or trade or whatever one chooses to call it stood in general at an even lower moral level than usual. Save on the part of a few far-sighted persons such as Altgeld, there was as yet no conception of political activities as related to the common social life of the nation. Politics were then almost wholly personal and predatory. The "invisible government" was in full control, and "big business" called the tunes to which the politicians danced. The two great party organizations were in effect but little more than the servants and pensioners of privilege. Legislative bodies, from city councils upward, docilely took their orders from the lawyers and lobbyists and pay agents of great corporations. The whole political atmosphere reeked of corruption. Representive government had for the most part abdicated in favor of "the System"—defined by Mr. Lincoln Steffens as that "reorganization of the political and financial powers of the State by which, for boodle of one sort or another, the leading politicians of both parties conduct the government in the interest of those leading businesses which seek special privileges and pay for them with bribes and the 'moral' support of graft." Civil service reform and the secret ballot were still in the timidly experimental stage. The muckrakers had not yet arisen to spread the new apocalypse, "an uncovering of the iniquity of the land," across the pages of our popular periodicals. The great life insurance companies were still unfamiliar with the name of Charles Evans

Hughes, and Armageddon remained merely an obscure Bible reference. Such prophets of the new reformation as Joseph Folk, Henry D. Lloyd, Brand Whitlock, and Ben Lindsey had not emerged into general prominence. Nevertheless, amidst the prevailing "desolation and dim night," signs of a moral awakening had begun to be apparent, though only a few saw them.

> They were to most quite dim; but there were here and there in the land dreamers of a sort, who had caught a new vision. The feeling of it, the emotion, was to find expression in Mr. Bryan's great campaign in 1896; but there was then in Chicago a little group, men who had read Henry George, or, without reading him, had looked out on life intelligently and gained a concept of it, or perhaps had merely felt in themselves the stirrings of a new social instinct, and these saw, or thought they saw, the way to a better social order. . . . But these men were not in politics; some of them were too impractical ever to be, and the only man in politics who understood them at all was Altgeld. . . . Altgeld was one of the forerunners of the newer and better time of the moral awakening in America; and, in accordance with the universal law of human nature, it was his fate to be misunderstood and ridiculed and hated, even by many in his own party. He was far in the van in most ways, so far that it was impossible for his own party to follow him.*

But though its precursory signs were to be discerned, the American reformation had not yet arrived; and Altgeld, like the other "dreamers" and idealists of his day, could only make the best of conditions as he found them, while at the same time putting forth all his strength to change or improve them. In Illinois those conditions were at least no better than elsewhere in the country.

* From "Forty Years of It," by Brand Whitlock, pages 94–96.

The economic transformation which began during the middle seventies had been as notable here as in any other State of the Union, and the changes which followed in its wake were no less prominent. From a State in which agriculture had long been the chief activity, Illinois now became predominantly industrial, although still retaining its relatively high place in agriculture. In 1890 it was the most important manufacturing State west of the Alleghanies, and second only to New York and Pennsylvania in the eastern section. In mineral production, particularly of coal, it held almost equally high relative rank. Three years later it led all the other States of the Union in respect to total railway mileage constructed and under operation. During the two decades from 1870 to 1890 the number of its inhabitants increased from two and a half millions to nearly four millions, giving it third place among the States in the matter of population. As in other sections of the country, this remarkable development and expansion worked chiefly to the advantage of monopoly interests, which lost no time in imposing oppressive conditions upon their dependents—farmers, industrial laborers, small shippers, etc. Economic questions began to obtrude insistently into the political field, and the voice of economic discontent gradually made itself heard above the bickerings over "pork barrel" appropriations and senatorial elections in the State legislature. As long as the disaffected groups attempted to secure satisfaction through the medium of "independent" political movements, they made little headway. The Republican party, firmly entrenched in power since before the Civil War and now chiefly devoted to the defense of privilege, could well afford to scorn such puny assaults. But when those groups made

a common rally, as they largely did, to the Democratic standard in 1892, the case was different; and with the Republican overthrow of that year, State politics assumed a new aspect.

This is not to imply, however, that the supplanting of a long dominant Republican majority in the State legislature by a scanty Democratic majority (consisting of five members in the Senate and three in the House) was likely to usher in a local millennium, even with such a man as John P. Altgeld in the Governor's chair. Altgeld could accomplish little in the way of constructive reform without the legislature's cooperation; and for the most part the Illinois legislature of 1893 had about the same outlook and was of about the same mental and moral calibre as its predecessors. Then, as before, it consisted of boss-controlled guardians of corporate interests in Chicago; of petty politicians from the smaller cities, intent mainly upon dispensing local patronage and securing a fair share from the "pork barrel" for their respective communities as well as a fair share for themselves from the "slush funds" provided by the railroads and other corporate seekers of favors; of still pettier rural legislatures who were as sheep to the party shepherds, requiring only to be fed and watered at proper intervals; and of a few honest if not always highly intelligent representatives from both city and country who were really trying, after their own lights, to serve their constituencies and the State rather than the bosses and the "interests." Chief power in this shabby hierarchy was exercised by the Speaker of the House, of course a member of the majority party and one with political acumen enough to know on which side his bread was buttered. Next to him in

importance must be reckoned the joint "steering committee" or "Big Five," composed of three majority and two minority members, usually "safe" party bosses who could be depended upon to advance "friendly" and defeat "hostile" legislation. By way of completing, or reinforcing, this over-bare summary we extract the following passage from Mr. Theodore Dreiser's novel of Chicago high finance in the roaring eighties and nineties, "The Titan":

The state legislature at this time was ruled over by a small group of wire-pulling, pettifogging, corporation-controlled individuals who came up from the respective towns, counties, and cities of the state, but who bore the same relation to the communities which they represented and to their superiors and equals in and out of the legislative halls at Springfield that men do to such allies anywhere in any given field. Why do we call them pettifogging and dismiss them? Perhaps they were pettifogging, but certainly no more so than any other shrewd rat or animal that burrows its way onward—and shall we say upward? The deepest controlling principle which animated these individuals was the oldest and first, that of self-preservation. Picture for example, a common occurrence—that of Senator John H. Southack, conversing with, perhaps, Senator George Mason Wade, of Gallatin County, behind a legislative door in one of the senate conference chambers toward the close of a session—Senator Southack, blinking, buttonholing his well-dressed colleague and drawing very near; Senator Wade, curious, confidential, expectant (a genial, solid, experienced, slightly paunchy but well-built Senator Wade—and handsome too).

"You know, George, I told you there would be something eventually in the Quincy water-front improvement if it ever worked out. Well, here it is. Ed Truesdale was in town yesterday." (This with a knowing eye, as much as to say, "Mum's the word.") "Here's five hundred; count it."

A quick flashing out of some green and yellow bills from a vest pocket, a light thumbing and counting on the part of Senator Wade. A flare of comprehension, approval, gratitude, admiration, as though to signify, "This is something like." "Thanks, John. I had pretty near forgot all about it. Nice people, eh? If you see Ed again give him my regards. When that Bellville contest comes up let me know."

Mr. Wade, being a good speaker, was frequently in request to stir up the populace to a sense of pro or con in connection with some legislative crisis impending, and it was to some such future opportunity that he now pleasantly referred. O life, O politics, O necessity, O hunger, O burning human appetite and desire on every hand!

Perhaps the Illinois legislature of that time was no worse, if indeed no better, than the legislative bodies of other States. Certainly it was bad enough, and the zeal of even as stout-hearted a reformer as Altgeld might well have been a little dampened at the prospect of achieving any positive results by virtue of such a medium. Nevertheless, the legislature held a Democratic majority, and the members of his party were fully aware of the fact that they owed this majority to Altgeld's leadership. They were also aware, however dimly, of the stirrings of a new public spirit, personified in large degree by Altgeld himself, which was making a definite demand upon them for certain social and economic reforms—a demand which could not be ignored without the possibility of unwholesome consequences to themselves. Thus it seems not too much to say that with Altgeld's election in 1892 Illinois politics entered upon a decidedly more hopeful phase.

CHAPTER VII

INAUGURATION AND FIRST MONTHS AS GOVERNOR

But for several weeks after the election of 1892, Illinois politics were a matter of minor concern to the successful candidate for Governor. The campaign had been one of the most strenuous and bitterly contested in State history, and Altgeld had not spared himself at any point. Those two extended tours through half a hundred counties, the wearing round of railway travel, receptions, interviews, conferences, public meetings, speech-making, hand-shaking, and other acute afflictions incident to what is known as running for office, would have taxed the physical resources of a far stronger man than he. And along with the burdens of this campaign, he was at the same time carrying a heavy load of personal responsibilities—particularly in connection with the Unity Building, then under construction. By early autumn the strain of all this began to tell upon him greatly; and in the final reaction after election day he suffered a rather alarming break-down. During a brief rest at Hot Springs, Arkansas, he appeared to rally somewhat; but a still more complete prostration followed almost immediately after his return to Chicago. Toward the end of December serious doubts were entertained as to his recovery, doubts which he himself shared. None of those who were aware of his condition expected for a moment that he would be able to make the journey to

Springfield for his inauguration on January 10. When the time came, however, he insisted upon going; and although scarcely able to stand, he took the oath of office and read his inaugural address before the General Assembly. That address was in no respect a remarkable document, being merely a business-like statement of guiding policies and desired reforms. "I realize," said the new Governor, "that in this busy age comparatively few people pay any attention to inaugural addresses, but that both men and parties are judged by what they actually do rather than by what they profess or promise . . . I am aware that, as a rule, where much is promised little is accomplished." Certainly this particular address, although it embodied a good deal of that so-called "pernicious radicalism" which was later to have such a hair-raising effect upon eastern editors, attracted only the most casual and perfunctory notice.

The inauguration over, Governor Altgeld returned to bed, and stayed there for some time. Not until about the middle of February did he recover sufficiently to give systematic attention to his new duties. The first thing required of him, as a matter of course under the prevailing traditions of party politics, was a thorough official house-cleaning. As in other States, the chief administrative officers of Illinois are elected by popular vote at the same time and (excepting the State treasurer, who serves for two years only) for the same term as the Governor. But hundreds of minor offices are here, as elsewhere, filled by executive appointment. The evils of our American spoils system were as familiar to Altgeld as to anyone of his day; and it should not be forgotten that the first even partially effective civil service law in Illinois was enacted during his régime and largely

as a result of his own efforts. At the beginning of his term, however, he was besieged by a party lean and ravenous from nearly forty years of enforced wandering in the wilderness. With no adequate law to back him, he could have resisted the demands of that party only at the cost of his political leadership and influence. As it was, he chose to follow traditional practice with a sweeping removal of Republican office-holders and the appointment of Democrats in their place. At the same time, his insistence upon certain standards of fitness, particularly where the management of State charitable and penal institutions was concerned, brought him into sharp collision with other Democratic leaders on more than one occasion. While it need not and cannot be denied that he made a few serious errors of judgment, his appointments were in general on a much higher level than commonly obtained under the spoils system. Indeed, the chief source of weakness in Altgeld's administration may be attributed not so much to his own appointees, most of whom acquitted themselves with credit, as to the elected State officials. With two or three exceptions, these latter were men of mediocre character, perhaps efficient enough as elected officials go but incapable of sympathy with the Governor's social vision and advanced views. Certainly they were not the sort of adventuring spirits that one would choose as followers in a crusade against established wrong. Still less so were the State legislators, who gathered in biennial session on January 4, and after five months of parturitive effort brought forth the usual mouse or two. The compulsory education act of 1889, which had been magnified into a "vital issue" during the recent State campaign, was of course repealed and a less drastic measure enacted in its place. A

rather defective act aimed at the more extreme sweat shop and child labor evils in State industry was also placed upon the statute books. For the rest, Governor Altgeld's long list of needed reform legislation, as specified in his inaugural address, was virtually ignored. During this session the Governor submitted two special messages to the assembly, one urging the abolishment of certain useless public offices, the other suggesting the appointment of a commission to revise the "General Practice Act"; but no legislative action seems to have been taken in either case. However, the assembly did show a progressive tendency (under Altgeld's vigorous prodding) in the matter of appropriations, making a liberal increase in the biennial grant to the University of Illinois and providing more suitably for the needs of other State institutions.

For all that the place-hunters devoured his time and the legislators balked his larger purposes, the first six months or so following his inauguration were in many respects the happiest of Altgeld's life—as the months just preceding a period of adversity so commonly are, or at least seem to be in the retrospect. After February his health mended rapidly, and he was able to work again with much of his old assiduity. In matters where he could act with a free hand, particularly in connection with the various State institutions, his constructive efforts began almost immediately to bear fruit. The transition from private to public life, as the chief executive of a great commonwealth, was still novel enough to be intensely interesting; and notwithstanding the harassments of his new office, he frankly enjoyed its honors. He enjoyed, too, the serene atmosphere of Springfield,

a city which (when it was not over-run by the politicians and lobbyists) had many attractions for one who had lived more than fifteen years in the brutal hurly-burly of Chicago.

There was a sense of spaciousness in the green avenues of the quiet town, and there was pleasant society, and better perhaps than all there were two big libraries in the Capitol, the law library of the Supreme Court and the state library; and after the noisy legislature had adjourned a peace fell on the great, cool stone pile that was almost academic.

Twice or thrice a day Governor Altgeld was to be seen passing through its vast corridors, his head bent thoughtfully, rapt afar from the things about him in those dreams of social amelioration which had visited him so much earlier than they came to most of his contemporaries. He had read much, and during his residence there the executive mansion had the atmosphere of intellectual culture. Whenever I went over there, which I did now and then with his secretary for luncheon or for an evening at cards, our talk was almost always of books.

Brand Whitlock, who wrote the above, was one of several young men then at Springfield with whom Altgeld was chiefly intimate during his term of office. Prominent among the others were William F. Dose, the Governor's private secretary; George Brennan, a fellow-clerk of Whitlock's in the State Department; and Lieutenant (now Colonel) David J. Baker, of the United State army, at that time attached in an advisory capacity to the Illinois National Guard. Altgeld preferred the society of young men; with them, more easily than with any others, he could put aside the mask of reserve which concealed, for the most of those with whom he came in contact, the essential kindliness and sociability of his

nature. In his daily walks between the executive mansion and the Capitol, on the journeys to and from Chicago which he was obliged to make at fairly frequent intervals, and at many other times, some member of this little group was usually his companion. To Altgeld, as well as to the others, this intercourse was among the pleasantest and most inspiring features of the four years spent at Springfield. One of the young men above mentioned, David J. Baker, contributes the following brief pen sketch of the Governor as he appeared at this time:

He was of medium height, slight build, somewhat stoop shouldered, and walked with a peculiar, rather shambling, gait. Under a close-cropped and carefully-trimmed beard, his face was strongly lined, apparently by physical pain as well as by care and thought. The eyes were unusually mobile and intelligent. His face in repose was sad, almost tragic, but very expressive and lit readily to what interested him. It was especially responsive to humor, of which he himself had a considerable fund of a quiet but incisive sort. A bit awkward and jerky in his movements, he gave the impression of quick decision and much nervous energy. He was always carefully dressed and, on the whole, presented the appearance of a prosperous business man rather than that of a lawyer or politician. He was rather diffident and, as far as my own observation went, he had few close personal friends. Yet people who talked with him seemed always pleased and interested in his conversation, which was on any subject temperate, informing, modest, and indicative of wide reading and careful thought. Fond of horses, he was an unusually skilful rider and almost a superb figure on horseback.

To Altgeld's skill as a horseman, other observers than the one quoted above have also borne witness—notably Mr. Vachel Lindsay, who in an article on "The Alt-

geld Temperament" * narrates an incident which testifies as well to something far more important than skill in horsemanship, which reveals indeed that spirit of dauntless determination lying at the very root of Altgeld's character. Mr. Lindsay writes:

> It happens to be my good fortune to have been born in the house where I live today; a house on an embankment that looks out on the governor's yard and mansion. . . . Once upon a time I was in the governor's yard when an escort of the Illinois national guard arrived for Altgeld, the then chief executive. He was a shaky invalid, and would have been excused for riding in a carriage. His black horse threw him, and rolled upon him, but the governor refused help and managed to climb back into the saddle. He went through it all with a sort of Spartan quietness. I can this moment recall the grim, mesmeric face, the lack-lustre eye, and the unstable frame. I well remember the ease with which he led the procession, emphatically the governor of Illinois, the horse still snorting, his conceit still vexed that this creature with the feeble knees should somehow ride him.

In May the great World's Columbian Exposition at Chicago opened its gates to the public, bringing an influx of distinguished visitors from every quarter of the globe. As Governor of Illinois, Altgeld came in contact with many of these visitors at various official or social functions arranged by the Exposition authorities, and in a number of cases the friendships thus formed lasted until his death. Perhaps the proudest occasion in his public career was when, on "Illinois Day," he led the entire organized military forces of the State in a parade through the White City, later reviewing and addressing the troops in the presence of a huge and notable throng. Inciden-

* See *The Public* (Chicago) for May 24, 1912.

tally, it is worth noting here that Altgeld and Grover Cleveland, the two protagonists in a clash of authority which excited national interest little more than a year later, met for the first and only time in connection with the opening ceremonies at the Exposition. Colonel Baker, whose reminiscences have already been laid under contribution in the present chapter, writes of this meeting as follows:

> In the spring of 1893 President Cleveland came to Chicago to take part in the opening of the World's Fair. The Governor and his staff met the presidential train some miles out and escorted the President to the city. This was the only near view that I ever had of Mr. Cleveland. He struck me as ponderous, authoritative, and well content with himself. The contrast between him and the slight, nervous, and not at all pompous Altgeld was very marked. Even then it impressed me that they did not seem to take to one another, and that they apparently did not have much in common. On both sides the proprieties were strictly observed, but on neither side did there seem to be much cordiality or real interest.

One of the first addresses delivered by the new Governor, a talk before the graduating class of the University of Illinois on June 7, calls for more than passing notice here. Seldom has a man in high public office spoken with such complete candor and veracity before such an audience. Instead of the specious generalities, the starched and perfumed platitudes, the empty pomposities commonly dispensed to college graduating classes, Altgeld told his young auditors that they were about to take up their work in a world governed by the clash of selfish interests, a world in which there is nothing perfect, where "the stronger force devours the weaker—

in the woods, in the water, in the church, in business —in fact, everywhere." Men and institutions alike were still terribly imperfect. "The administration of justice, or rather of the laws, is better than it ever has been; but it is only a struggling toward the right, only a blind groping in the darkness toward light. . . . The wrongs done in the courts of justice themselves are so great that they cry to heaven." Government "has improved a little at every step in its history," but even yet "it is simply a struggle by one selfish interest to get an advantage over another . . . and the wrongs done by government are so great that they can be measured only by the eye of omniscience." Yet however defective, these institutions are "the best that man has been able to devise, and until the level of morality and intelligence is elevated no better *can* be devised." In the all-important task of raising that level, public officeholders have little part.

Being an officeholder myself, I may be pardoned for saying that most of the men who are holding the offices and wielding authority will soon be forgotten before the grass has had time to grow over them; for they are not the great captains, they are not the leaders of our progress and of our civilization. As a rule, they do not gaze into the firmament or measure the stars; their vision is limited to the weather vane on public buildings. They never give the order for advance on any great question, they wait to be commanded to move, and then hesitate until assured that it is the voice of the majority calling to them. They wait until the leaders of thought have captured the stronghold of a wrong, and then they try to plant their flag over the ramparts that were stormed by others. As a rule, they are moral cowards, following the music wagon of their time, and holding the penny of immediate advantage so close to their eye as to shut out the sunlight of eternal principles.

Not in officeholders, not in the rich and powerful, but in the common people, lay the chief hope of our race. "All great reforms, great movements, come from the bottom and not the top." "Wherever there is a wrong, point it out to all the world, and you can trust the people to right it."

The greatest reformer and purifier in the physical world is the sun. Let sunlight into the dark places and the poisons collected there disappear. So with the dark places in government and civil affairs that are now festering with wrong: let the sunlight of eternal truth and justice shine on them and they will disappear. . . . The ideal has not yet come. In the pulpit, in the courts, in government, in business, everywhere there is a kind of blind groping toward it; and that man will render mankind the greatest service who, recognizing this fact, will help the race onward to this high plane of eternal sunlight.

For a final quotation from this unique address, which more than any other of Altgeld's public utterances embodies the gist of his social and personal philosophy, we select the following:

Let me tell you something, confidentially, here. If you are sent to bring something, bring it, and not an explanation. If you agree to do something, do it; don't come back with an explanation. Explanations as to how you came to fail are not worth two cents a ton. Nobody wants them or cares for them. . . . Let me tell you another thing, also confidentially. Only about one-fourth of your efforts will produce satisfactory results. The sower went forth to sow; some seed fell by the wayside and the birds got it; some fell in stony places and it could not get root; some fell among thorns and got choked by its wicked neighbors; and some fell on fertile ground and brought forth a harvest. It has always been thus, and is everywhere so today. If all the efforts I have

made which have produced no results were collected, and piled on top of me, they would bury me so deep that Gabriel's horn would never awaken me. You say I am making a pessimistic speech. Not at all. I am simply telling you what there is ahead. The old cardinal said to the young woman: "You are Richelieu's ward; you are a soldier's wife; you must not shrink from hearing the truth."

Although Governor Altgeld's sympathy with the working classes, as frequently avowed both before and after his election, had aroused considerable apprehension among the conservative elements in Illinois, nothing occurred during the first five months of his administration to justify that apprehension in any degree. The initial test of his attitude in a serious labor disturbance came about the middle of June, when he was called upon to act in connection with trouble which developed in the region around Lemont, where several hundred unskilled quarry workers (mostly foreigners) had struck against a reduction of wages to the level paid by contractors on the Chicago drainage canal, then under construction in the same region. Following a hostile demonstration of the strikers against the canal contractors, several of the former were killed or wounded by rifle fire. The local authorities, after a feeble effort to preserve order, telegraphed the Governor for troops. Two regiments of State militia were put upon the scene within a few hours, while at the same time Altgeld himself hurried to Lemont to make a personal investigation of the trouble. No further disorder occurred, the adjutant-general succeeded in adjusting the quarryman's grievances, and the troops were withdrawn after a few days. In a detailed report submitted to the Illinois House of Representatives on

June 16, Governor Altgeld censured the local authorities for their failure to prevent the outbreak of violence, while at least one "wanton killing" was charged against the canal contractors. This departure from the customary official whitewashing of the employers' side in an industrial dispute undoubtedly increased the odium already attaching to Altgeld in certain quarters as "a partizan of labor," and provoked some criticism. At the same time, not even the most biassed observer could deny that the Governor had acted with all possible promptness and energy in repressing the disorder.

CHAPTER VIII

THE CHICAGO ANARCHISTS, 1881–1887

THE critical reaction to Governor Altgeld's report on the labor troubles near Lemont, as mentioned at the close of the preceding chapter, was but a ripple in comparison with the tidal wave of resentment aroused by his pardon of the so-called "Chicago anarchists" less than two weeks later. This latter deed was destined to bring down upon its author's head a storm of execration almost without parallel in American history, and to make him for a long time the most hated man in American public life. Nevertheless, more then any other action of his career it revealed the intense love of justice, the uncompromising devotion to duty, the high moral heroism which mark him out so conspicuously against the rather sordid background of his time and ally him so indisputably with the few great figures in our national annals.

To describe in adequate detail the long sequence of events and circumstances which culminated in the famous "anarchist pardons" would require a separate volume of larger proportions than the present work. Only a bare outline can be given here, but that outline is indispensable to any clear understanding of the most notable and widely-discussed incident in Altgeld's career.

During the long period of industrial depression which followed the panic of 1873, labor unrest and labor disturbances were common throughout the eastern and

middle-western United States. But in Chicago, where the panic had been preceded less than two years before by a calamity which largely paralyzed local industry, the working-class revolt against unemployment and starvation wages was more conspicuous than in any other part of the country. For fifteen years, from the great fire of 1871 until the "Haymarket riot" of 1886, this city was a storm-centre of radical labor agitation. The earlier workers' organizations here were socialistic in character, after the familiar European model. For the most part, their members were foreign-born, their leaders German disciples of Lassalle, and their activities political rather than economic. By 1879 Chicago had become the chief stronghold of the socialist-labor movement in America. But thereafter, with the return of industry to "normal" conditions, the party suffered heavy reverses at the polls; and in Chicago, as in other large cities, the movement split into two opposing factions—the revolutionaries and the moderates. In the former group were ranged most of the German, Bohemian, and Scandinavian socialists; while the latter consisted mainly of English-speaking workers, who now began to turn their attention to trade union activities of the more usual sort.

An attempt toward a national organization of the revolutionary socialists was made at a convention held in Chicago during October, 1881. The prime movers in this effort were the New York social revolutionaries, who had just affiliated with the International Working People's Association—the so-called "Black International," organized by European anarchists in July, 1881, with headquarters in London. Not much was accomplished, however, until two years later, when a second convention met at Pittsburgh, perfected a national organ-

ization, and issued a manifesto calling for "destruction of the existing class rule by all means, i. e., by energetic, relentless, revolutionary, and international action." This American section of the "Black International" had its chief impetus in New York and its principal leader in Johann Most, although its largest membership was in Chicago. By insisting, however, upon the importance of the trade union as an essential factor in the movement, the Chicago section deviated sharply from the pure "force anarchism" of Most and his followers; indeed, the "Chicago idea," as it came to be called, was not anarchism at all in any strict sense, but an early form of what is now known as syndicalism. Thus the movement here provided a new and promising rallying ground for those organized workers who felt convinced by long experience that political action and conventional trade union methods were alike futile; and it was from such that its supporters were largely recruited. The conversion of these men into radical "direct actionists" must be credited in the main to the employers and the police of Chicago. For years virtually every effort of the workers to better their collective condition had met with determined resistance from the employing class, backed by the press and the "strong arm methods" of public authority. Every strike, regardless of its origin and nature, was considered as evidence *per se* that its participants had placed themselves in organized opposition to law and order, and was dealt with accordingly. In the great railway strike of 1877, in the stockyards strike of 1880, in the street-car strike of 1885, and in scores of lesser industrial conflicts, it had been the common technique of the police to "crack all heads in sight until no man was left upon his feet, and then announce that quiet was restored and the strike

broken." * Time after time, peaceable meetings of working men were summarily raided and dispersed, often with the most provocative show of brutality. In the light of such repeated experiences, a considerable section of Chicago's working class had come to believe that the police were the exclusive allies of the employers, and that both were the implacable enemies of the workers. It was from this section that the so-called anarchist movement drew what little organized strength it ever had. Scarcely one in fifty of its numbers could by any possible elasticity of definition be rightly termed an anarchist. They were simply ordinary human beings, loosely united by the bond of bitter common grievances. But the leaders of the movement were extremely vociferous; and their heated harangues and editorials struck terror to the hearts of Chicago's comfortable bourgeoisie. This terror deepened when the dreaded "Lehr und Wehr Verein," organized and incorporated in 1875 as a means of protecting the city's German socialist voters at the polls, was taken over as the armed contingent of the anarchist movement. By the end of 1885 the "Black International" (like the "I. W. W." in recent times) had been magnified by excited newspaper editors and timorous capitalists into an horrific bugaboo, menacing all that established society holds precious.

This inflammatory situation came to a climax with the nation-wide eight-hour movement of 1886. Accepted commonplace though it is now, the eight-hour day was at that time to perhaps the majority of employers a symbol of coming industrial dissolution, the entering wedge of a movement that must inevitably lead to a "dictator-

* Article by Charles Edward Russell in *Appleton's Magazine* for October, 1907.

ship of the proletariat." In the alarmist atmosphere of Chicago, it was felt that almost anything might now happen. Here, as elsewhere, the labor organizations (revolutionary and moderate alike) had planned to launch their eight-hour campaign on May 1, with a series of large-scale demonstrations and strikes. Earlier in the year, however, a number of preliminary skirmishes took place, which did much to increase the prevailing tension and bitterness. In February the McCormick harvester plant, which had been the seat of serious labor troubles during the preceding year, declared a general lockout of its fourteen hundred employees on issues growing out of the previous dispute; and frequent disturbances resulted. Around the McCormick plant and elsewhere in the city during these months of unrest, "it became a pastime for a squad of mounted police, or a detachment in close formation, to disperse with the billy any gathering of workingmen. The billy was an impartial instrument: men, women, and children, and shop-keeping by-standers alike composed its harvest. It was the police, aided by the 'Pinkertons,' who added the great leaven of bitterness to the contest." * With the approach of May Day, redolent in name of communistic barricades and street fighting, the entire city was in a state of nervous excitement. Police precautions of the most elaborate sort were taken against a widespread outbreak which half the population considered inevitable. But May Day came and went, and although from sixty to eighty thousand workers took part in the day's demonstrations, there was no disorder. On the afternoon of May 3, however, a bloody encounter occurred between the police and the locked-out employees

* "Centennial History of Illinois," Volume IV., pages 167–68.

of the McCormick plant, in which several workers were killed or wounded by revolver shots. No event could have been better calculated to set the smoldering passions of both sides ablaze. During the night of May 3 the anarchist organization printed and distributed an excited circular headed "Revenge! Revenge! Workmen to Arms!" and calling a meeting for the following evening in Haymarket Square on the West Side, to "denounce the latest atrocious act of the police." The press cried loudly for suppression of this meeting; but Chicago's mayor, the elder Carter Harrison, declined to interfere, announcing that he would attend the meeting in person and order its dispersal if the laws were overstepped in any way. On the appointed night a crowd, variously estimated at from one to three thousand persons, assembled near the Haymarket. Half a block away was the Desplaines Street police station, with a large reserve of officers under the command of Captain John Bonfield (among workingmen the most hated of Chicago's police officials) ready for instant action. Several speakers addressed the crowd from a truck wagon. There was some excitement, but no disorder. Between ten and eleven o'clock rain set in, and the meeting began to break up. Mayor Harrison left, and stopping at the Desplaines Street station he informed Bonfield that the meeting had been peaceable and that no trouble need now be feared. A few minutes later Bonfield marched his reserves to the scene, and the crowd, by this time consisting of perhaps two hundred persons, was ordered to disperse. From somewhere above or behind the gathering a spark flew out; there was a deafening roar; and about sixty policemen fell

wounded, seven of them fatally. Their comrades quickly reformed the broken ranks, drew their revolvers and fired into the fleeing throng, killing or wounding many persons. Within less than five minutes the "Haymarket riot" was over.

As news of the tragedy spread, a wild panic seized Chicago and held the city in its grasp for months. No rumor of additional outrages, no report of wholesale plotting, was too fantastic to be given implicit credence by press and public. Infuriated by the murder of their comrades and excited to the highest pitch by the cry for retribution that was everywhere raised, the police cast their dragnet far and wide, filling the jails with hundreds of "suspects," mostly foreigners, who were one by one put through the "third degree." From the testimony of these terror-stricken witnesses it was not difficult for the police to evolve for an equally terror-stricken public the outlines of a gigantic revolutionary plot aiming at nothing less than the complete destruction of Chicago. After several weeks of this sort of thing, eight persons were finally singled out for trial—August Spies, Michael Schwab, Samuel Fielden, Adolph Fischer, George Engel, Oscar Neebe, Louis Lingg, and Albert R. Parsons. The last-named had been sought in vain by the police, but on the first day of the subsequent trial he made a dramatic appearance in the court-room and took his place upon the prisoners' bench among his comrades. There was not a shred of evidence to connect any one of these men with the actual throwing of the Haymarket bomb. Even to-day the identity of the bomb-thrower has not been positively established, although suspicion centres strongly on Rudolph Schnaubelt, who was twice arrested after the

Haymarket affair and each time released, later disappearing completely. The indicted men were members of the "Black International," and most of them had as editors or writers been prominent in the anarchistic labor agitation of the preceding period; three of their number had spoken at the Haymarket meeting. Their indictment, and later their prosecution, was based solely on the charge that they had publicly advised the use of violent methods in class warfare, and that the unknown bomb-thrower must have been impelled by such advice to commit his act.

The trial, conducted before Judge Joseph E. Gary in the Cook County Criminal Court, began on June 21, 1886, and lasted for eight weeks. At its close the jury almost immediately brought in a verdict finding the defendants "guilty of murder in the manner and form charged in the indictment." Neebe's penalty was fixed at imprisonment for fifteen years; the seven others were sentenced to death. The prevailing atmosphere of public opinion at this time, reflected and intensified in the court-room by every possible means throughout the trial, made such a verdict inevitable. From the outset the trial was not essentially an effort to determine the guilt or innocence of certain individuals charged with a specific legal crime. The case in court was that of "anarchism" versus "society." Judge, jury, and prosecution were simply the automatic reflectors of popular feeling, inflamed by a recent frightful outrage; and to them, as to the public, the eight defendants personified a doctrine which inspired the most intense fear and the most passionate hatred. The popular cry was for retribution, for a merciless example that would paralyze once and for all

the anarchist camp; and the "machinery of the law" performed its required task. As Brand Whitlock has pointed out,

> It was all very simple. If it were not for the tragedy, and the wrong that is so much worse than any tragedy, one might almost laugh at the simplicity. It shows the power of words, the force of phrases, the obdurate and terrible tyranny of a term. The men . . . were called anarchists, when, as it happens, they were men, just men. And out of that original error in terminology there was evolved that overmastering fear which raved and slew in a frenzy of passion that decades hence will puzzle the psychologist who studies the mind of the crowd.*

There can be no question that the verdict arrived at in Judge Gary's court was approved by an overwhelming majority of public opinion, not in Chicago only but throughout the country, where the "anarchist case" excited more interest than any other event since the Civil War. Indeed, merely to voice the mildest doubt regarding the conduct of the trial, the validity of the verdict, or the wisdom of carrying out the sentences was commonly taken as proof of anarchistic affiliations or sympathies. Nevertheless, a movement of protest began slowly to gather strength. Such persons as William Dean Howells, Lyman J. Gage, Robert G. Ingersoll, Henry D. Lloyd, General Roger A. Pryor, and Charles Francis Train, in this country, and William Morris, Annie Besant, Walter Crane, Stopford Brooke, and Sir Walter Besant, in England, took a vigorous part in this movement. Meetings were held and petitions circulated in behalf of the condemned men. In London a memorial addressed to Governor Oglesby of Illinois and asking for

* From "Forty Years of It," page 41.

clemency was signed by 16,000 members of workingmen's clubs on a single Sunday. At the same time, every available legal resource was brought into play by those who were seeking to save the prisoners. At the October term of Judge Gary's court a motion for a new trial was discussed and overruled, and the seven men who had received death sentences were ordered to be hanged on December 3 of the same year. Later, under a stay of execution, the case was carried to the Illinios Supreme Court, which after six months' consideration unanimously denied a writ of error. Appeal was then made to the United States Supreme Court, before which the defense was represented by Leonard Swett, Lincoln's old associate; and with the same result, although one of the justices declared the trial had not been free from error.* At last there was nothing left but a forlorn hope that Governor Oglesby would commute the sentences. In the case of Parsons, whose conduct throughout the trial had strongly impressed all impartial sympathies, Oglesby intimated that clemency would be granted if the condemned man would petition for it. This Parsons resolutely refused to do, chiefly on the ground that such action on his part would destroy the last remaining chances of his comrades. Lingg, Engel, and Fischer also refused to join in any plea for clemency. Spies begged

* "The Supreme Court simply affirmed the legality of the forms under which the Chicago court proceeded; it did not affirm the propriety of trying for murder men fairly indictable for conspiracy alone; and it by no means approved the principle of punishing them because of their frantic opinions, for a crime which they were not shown to have committed. The justice or injustice of their sentence was not before the highest tribunal of our law, and unhappily could not be got there. That question must remain for history, which judges the judgment of courts, to deal with; and I, for one, cannot doubt what the decision of history will be."—Letter of William Dean Howells to the *New York Tribune*, Nov. 4, 1887.

the Governor that the lives of his fellows be spared and he alone be permitted to "satisfy the fury of a semi-barbaric mob." The day before that set for the executions, Oglesby commuted the sentences of Fielden and Schwab to life imprisonment, leaving the five other men to their fate. Later in the same day Lingg committed suicide in his cell, under ghastly circumstances; and during the forenoon of Friday, November 11, 1887, Parsons, Spies, Fischer, and Engel were put to death on the gallows in a courtyard of the county jail in Chicago.

With the snuffing out of those five lives, the acute paranoia from which Chicago had been suffering passed its crisis. But the city had still to go through a long convalescent stage before it fully recovered. During the next year or two, sinister and far-reaching "revenge plots" continued to be unearthed by the police and exploited by the press at fairly regular intervals; until the limits of public credulity were reached at last, and the subject ceased to be of interest.

All the facts that have since come to light regarding the so-called "anarchist conspiracy" in Chicago tend to confirm the following conclusions of Mr. Charles Edward Russell, who in 1887 spent several months investigating the matter for a New York newspaper:

> The truth is that Chicago was at no time in more danger of an anarchist uprising, in more danger of an outbreak of violence, in more danger of destruction by dynamite, than any other American city was then or is now. . . . The idea of an anarchist conspiracy was purely a dream. There had been in Chicago a very small group, comprising perhaps fourteen in all, of physical force anarchists, men of the type of the depraved and desperate creatures that assassinate European rulers. Of these Lingg was the leader, Schnaubelt was a member, and probably these two

alone possessed the courage for an overt act. Next were a large number of workingmen that did not believe in organized force and had no sympathy with anarchism, but felt that the workingmen had been badly treated by the police. These were often on conviction opponents of the wage system, but they were no champions of armed revolution. They might be willing to throw brickbats at strike breakers, to make speeches denouncing capital, and to jeer the police, but they were no anarchists. Beyond these were other men that theoretically favored the eight-hour movement and the cause of labor, and felt that the condemned men had been cruelly sacrificed, but had no convictions nor impulses of greater danger to society. And this was the sum total of the disaffection, unless we choose to characterize every person as an anarchist that entertains doubts whether present conditions represent the ultimate state of mankind.*

* Article in *Appleton's Magazine* for October, 1907.

CHAPTER IX

GOVERNOR ALTGELD PARDONS THE ANARCHISTS

COINCIDENT with the gradual subsidence of the "anarchist scare" in Chicago and throughout the country, an energetic movement was set on foot to secure the freedom of Fielden, Schwab, and Neebe, the three survivors among the eight men who had been placed on trial after the Haymarket outrage. Neebe, it will be recalled, had received a sentence of fifteen years' imprisonment; while Fielden and Schwab had been saved from the gallows at the last moment by Governor Oglesby's commutation of their sentences to imprisonment for life. The amnesty movement in behalf of these men comprised several fairly distinct groups, in accord as to purpose but actuated by widely diverse motives. First, though in point of numbers fewest, were those persons who felt convinced that all the so-called anarchists had been wrongfully convicted, and who were endeavoring to obtain the only reparation now possible for what in their view was a grave judicial crime. Another group held to the opinion that, while the men had been justly convicted, a policy of leniency rather than of severity would have been and still was better calculated to protect the interests of society. Still another and perhaps the largest group consisted of those who had thoroughly approved of the sentences and the executions, but who now believed that the ends of justice had been suffi-

ciently served and that it would be both politic and humane to free the imprisoned survivors, purely as an act of mercy. How many of this latter group were impelled by a secret change of heart or the prickings of conscience, it is of course impossible to say; but the number must have been considerable. Certainly a shift in popular sentiment regarding the anarchist executions was beginning to make itself felt in Chicago within a year or two after the event, as Edwin D. Mead of Boston and other observers have noted.*

Through an Amnesty Association organized in 1890, and by concerted or individual action in other channels, strong pressure on behalf of Fielden, Schwab, and Neebe was brought to bear upon Governor Fifer, who in 1889 had succeeded Oglesby as chief magistrate of Illinois. But Fifer proved obdurate, and the amnesty workers had no other choice than to await the advent of another adminstration. Their hopes rose high and their efforts were renewed with fresh vigor when at last Fifer was displaced by a man of such liberal and humanitarian views as John P. Altgeld. Early in 1893 a pardon petition carrying the signatures of about sixty thousand persons, among them many of Chicago's most prominent business and professional men, was presented to the new Governor; and during the months immediately following, he was besieged by individual pleaders of the amnesty cause.† But the obvious strength and respectability of this movement did not betray Altgeld into

* See Caro Lloyd's "Life of Henry Demarest Lloyd," Volume I., page 103.

† According to Willis J. Abbot, "the first name signed to the petition for the pardon of the anarchists was that of Lyman J. Gage, whom McKinley made secretary of the treasury, and the petition was signed by the president of every bank and every railroad in Chicago." (See *The Pilgrim* for April, 1902.)

an immediate decision. In his view, the pardoning power vested in the Governor was not so much a personal prerogative as a judicial responsibility, to be exercised in correction of those wrongs which are inseparable from the regular processes of the criminal law. For all his sympathy with the laboring classes, he did not regard the alleged anarchists as proper objects of clemency. If they had been fairly convicted of the crime charged against them, it was his opinion that "no punishment under our laws could then be too severe." If they had been unfairly convicted, simple justice required that they should be released. At the outset, therefore, he had determined not to act before making a searching legal analysis of the trial and reviewing every aspect of the case. As time went on during those first crowded months of 1893, some of the more impatient petitioners, too hastily assuming that he would grant the pardons as a mere matter of routine, began to reproach him for the delay in coming to a decision; his reply was simply that he had been too much occupied with other duties to give this the attention it required.

Had he chosen to issue the pardons at once merely as an act of executive clemency, in the usual perfunctory way, it is conceivable that Governor Altgeld would have been more generally applauded than criticized. Aside from the labor element and those who believed from the first that the so-called anarchists were the victims of popular hysteria, a large and influential section of the community would have openly welcomed such a salving of its conscience; and many even of the unrepentant were now secretly disposed toward a gesture of magnanimity. Simple clemency would have satisfied all the forces that were urging intercession, while at the same time it would

be least likely to infuriate those who were still implacable in the anarchist affair. The Governor needed to say no more than this: "These three men have suffered seven years of imprisonment for their crime. They have been heavily punished; they have had their lesson. Some sixty thousand persons, in every walk and station of life, now petition me for their release. I have decided to accede to that petition, in the interests of mercy." A timid and prudential man or a self-seeking politician, had he acted at all in the matter, would inevitably have taken this course. But Altgeld never chose the safer and easier path when duty pointed in another direction. Reviewing the case in minute detail as an experienced lawyer and judge, the conviction was forced upon him that a monstrous legal wrong had been committed—a wrong which had sent five men to death and had kept three others in prison for seven years. In the light of that conviction, it was no less his duty to expose the wrong than to free its surviving victims; indeed, with the plea for clemency dismissed at the outset, as it was in his own mind, the two things were inseparable. No man then living foresaw more clearly than he how fatally such a course would react upon his own future career. "Make no mistake about its being a popular move," he said to a friend who had urged that granting the pardons would be expedient as well as just; "if I do it I will be a dead man politically." * To another friend who had expressed the opposite view that this action might end his political career, Altgeld replied with evident resentment of the implication that such a consideration could have weight with him: "By

* Record of interview with Clarence S. Darrow, in the Illinois Historical Survey. (See "Centennial History of Illinois," Volume IV., page 187.)

God, if I decide that those men are innocent I will pardon them if I never hold office another day!" * It should be remembered that at this time he was the acknowledged leader of his party in Illinois. He had just attained one distinguished goal of his political ambitions. As a foreign-born citizen, the highest place to which he could aspire was a seat in the United States Senate. He did aspire to that place, and in the existing circumstances it seemed certain that his aspiration would be realized if he were only discreet in his present position. To renounce such an ambition simply that belated justice might be done to three obscure workingmen was little less than madness in the view of Altgeld's closest political advisers, to whom he at length confided his intention of granting the pardons. They begged him to reconsider; they warned him that the course which he proposed to take would assuredly wreck his own political fortunes and probably have disastrous effects for his party. But the Governor was not to be moved from his purpose. "As for our party," he said, "that must stand or fall by its principles and its policy. As for myself, no man has the right to allow his ambition to stand in the way of the performance of a simple act of justice." †

On the morning of June 26, 1893, Secretary of State William H. Hinrichsen was summoned to Altgeld's private office. "I am going to pardon Fielden, Schwab, and Neebe this morning," said the Governor, "and I thought you might like to sign the papers in person rather than have your signature affixed by your chief clerk." "Do you think it good policy to pardon them?" asked Hinrichsen, who then added, "I do not." "It is right,"

* Unpublished reminiscences of Hon. S. P. McConnell.
† Unpublished article by Louis F. Post.

Altgeld said emphatically, striking the desk with his fist. * Later in the morning the pardons were on their way to the three men in Joliet prison.

It is a fortunate circumstance that there should have been at this time in the State Department at Springfield a young man with a seeing eye and an understanding heart who witnessed the signing of the pardons and who has given us such an impressive pen picture of the whole affair as is embodied in the following passage, from Brand Whitlock's "Forty Years of It":

> Injustice was never for long out of the mind of John P. Altgeld, and during all those first months of his administration he had been brooding over this notable instance of injustice, and he had come to his decision. He knew the cost to him; he had just come to the governorship of his state, and to the leadership of his party, after its thirty years of defeat, and he realized what powerful interests would be frightened and offended if he were to turn three forgotten men out of prison; he understood how partisanship would turn the action to its advantage.
>
> It mattered not that most of the thoughtful men in Illinois would tell you that the "anarchists" had been improperly convicted, that they were not only entirely innocent of the murder of which they had been accused, but were not even anarchists; it was simply that the mob had convicted them in one of the strangest frenzies of fear that ever distracted a whole community, a case which all the psychologists of all the universities in the world might have tried, without getting at the truth of it—much less a jury in a criminal court.
>
> And so, one morning in June, very early, I was called to the Governor's office, and told to make out pardons for Fielden, Neebe, and Schwab. "And do it yourself," said the Governor's secretary, "and don't say anything about it to anybody."

* Article by Wm. H. Hinrichsen in the *Chicago Inter Ocean*, March 16, 1902.

I cannot tell in what surprise, in what a haze, or with what emotions I went about that task. I got the blanks and the records, and, before the executive clerk, whose work it was, had come down, I made out those three pardons, in the largest, roundest hand I could command, impressed them with the Great Seal of State, had the secretary of state sign them, and took them over to the Governor's office. I was admitted to his private room, and there he sat, at his great flat desk. The only other person in the room was Dreier, a Chicago banker, who had never wearied, it seems, in his efforts to have those men pardoned. He was standing, and was very nervous; the moment evidently meant much to him. The Governor took the big sheets of imitation parchment, glanced over them, signed his name to each, laid down the pen, and handed the papers across the table to Dreier. The banker took them, and began to say something. But he only got as far as——

"Governor, I hardly"—when he broke down and wept. Altgeld made an impatient gesture; he was gazing out of the window in silence, on the elm-trees in the yard. He took out his watch, told Dreier he would miss his train—Dreier was to take the Alton to Joliet, deliver the pardons to the men in person, and go on in to Chicago with them that night—and Dreier nervously rolled up the pardons, took up a little valise, shook hands, and was gone.

On the table was a high pile of proofs of the document in which Governor Altgeld gave the reasons for his action. It was an able paper; one might well rank it among state papers, and I suppose no one now, in these days, when so many of Altgeld's democratic theories are popular, would deny that his grounds were just and reasonable, or that he had done what he could to right a great wrong; though he would regret that so great a soul should have permitted itself to mar the document by expressions of hatred of the judge who tried the case. But perhaps it is not so easy to be calm and impersonal in the midst of the moving event, as it is given to others to be long afterward.

But whatever feelings he may have had, he was calm and

serene ever after. I saw him as I was walking down to the Capitol the next morning. It was another of those June days which now and then are so perfect on the prairies. The Governor was riding his horse—he was a gallant horseman—and he bowed and smiled that faint, wan smile of his, and drew up to the curb a moment. There was, of course, but one subject then, and I said:

"Well, the storm will break now."

"Oh, yes," he replied, with a not wholly convincing air of throwing off a care, "I was prepared for that. It was merely doing right."

I said something to him then to express my satisfaction in the great deed that was to be so wilfully, recklessly, and cruelly misunderstood. I did not say all I might have said, for I felt that my opinions could mean so little to him. I have wished since that I had said more,—said something, if that might have been my good fortune, that could perhaps have made a great burden a little easier for that brave and tortured soul. But he rode away with that wan, persistent smile. And the storm did break, and the abuse it rained upon him broke his heart; but I never again heard him mention the anarchist case.

CHAPTER X

THE PARDON MESSAGE

In connection with the pardons of Fielden, Schwab, and Neebe, Governor Altgeld made public a lengthy statement or message reviewing in detail the most essential matters of law and fact involved in the anarchist trial and setting forth the reasons that led him to release the three men. This statement, as printed in pamphlet form, occupies some sixty pages.* It suffers the disadvantage of being written in a cramped and clumsy lawyers' English which lessens its effectiveness throughout and too often obscures the plain meaning of particular paragraphs or sentences. Nevertheless, it is probably the chief source of illumination on one of the darkest episodes in American social and legal history; while of course it provides the only valid basis for a reasonable judgment, on the legal side, as to the merits or demerits of Altgeld's action. A summary of this document, as far as it can be summarized in a single brief chapter, must now be given here.

After a preliminary "statement of the case," Governor Altgeld writes as follows:

> The several thousand merchants, bankers, judges, lawyers and other prominent citizens of Chicago, who have by petition, by

*The pardon message is reprinted in full in "Live Questions," pages 365–400.

letter and in other ways urged executive clemency, mostly base their appeal on the ground that, assuming the prisoners to be guilty, they have been punished enough; but a number of them who have examined the case more carefully, and are more familiar with the record and with the facts disclosed by the papers on file, base their appeal on entirely different grounds. They assert:

First—That the jury which tried the case was a packed jury selected to convict.

Second—That according to the law as laid down by the Supreme Court, both prior to and again since the trial of this case, the jurors, according to their own answers, were not competent jurors, and the trial was, therefore, not a legal trial.

Third—That the defendants were not proven to be guilty of the crime charged in the indictment.

Fourth—That as to the defendant Neebe, the State's Attorney had declared at the close of the evidence that there was no case against him, and yet he has been kept in prison all these years.

Fifth—That the trial judge was either so prejudiced against the defendants, or else so determined to win the applause of a certain class in the community, that he could not and did not grant a fair trial.

Upon the question of having been punished enough, I will simply say that if the defendants had a fair trial, and [if] nothing has developed since to show that they were not guilty of the crime charged in the indictment, then there ought to be no executive interference, for no punishment under our laws could then be too severe. Government must defend itself; life and property must be protected, and law and order must be maintained; murder must be punished, and if the defendants are guilty of murder, either committed by their own hands or by someone else acting on their advice, then, if they have had a fair trial, there should be in this case no executive interference. The soil of America is not adapted to the growth of anarchy. While our institutions are not free from injustice, they are still the best that have yet been devised, and therefore must be maintained.

Nearly half the message is taken up by an examination of the first two assertions—that the case was tried by a "packed" jury, and that the jurors according to their own answers were not competent and the trial was therefore not a legal trial. It is pointed out that in this case the jury candidates were not selected in the usual way, by drawing names from a box; but that a special bailiff, nominated by the state's attorney, was appointed by the court to select candidates. While this proceeding had been sanctioned by the defense, it soon became apparent that the special bailiff was exercising his powers in a grossly unfair manner. A few days before the execution of Spies, Parsons, Fischer, and Engel, a prominent Chicago business man (Otis S. Favor) who had been examined for jury duty in the trial made affidavit to the effect that the bailiff had said to him in the presence of witnesses: "I am managing this case, and know what I am about. Those fellows are going to be hanged as certain as death. I am calling such men as the defendants will have to challenge peremptorily and waste their time and challenges. Then they will have to take such men as the prosecution wants." After reproducing this affidavit (which the deponent had previously withheld under pressure from the state's attorney) the message goes on to cite instance after instance from the court records to show that these were the tactics actually followed.

Nearly every juror called stated that he had read and talked about the matter, and believed what he had heard and read, and had formed and expressed an opinion, and still held it, as to the guilt or innocence of the defendants; that he was prejudiced against them; that that prejudice was deep-rooted, and that it would require evidence to remove that prejudice.

A great many said they had been pointed out to the bailiff by their employers, to be summoned as jurors. Many stated frankly that they believed the defendants to be guilty, and would convict unless their opinions were overcome by strong proofs; and almost everyone, after having made these statements, was examined by the court in a manner to force him to say that he would try the case fairly upon the evidence produced in court, and whenever he was brought to this point he was held to be a competent juror, and the defendants were obliged to exhaust their challenges on men who declared in open court that they were prejudiced and believed the defendants to be guilty.

The twelve jurors whom the defendants were finally forced to accept, after the challenges were exhausted, were of the same general character as the others, and a number of them stated candidly that they were so prejudiced that they could not try the case fairly, but each, when examined by the court, was finally induced to say that he believed he could try the case fairly upon the evidence that was produced in court alone.

After citing at length the decision of the Illinois Supreme Court in the famous Cronin case, rendered after the same court had sustained the conviction of the anarchists, Governor Altgeld points out the perfectly obvious fact that in the Cronin case the court had declared the Illinois rule as to the impartiality of jurors to be the exact reverse of what this court had accepted as correct procedure in the anarchist trial. "The very things which the supreme court held to be fatal errors in the Cronin case constituted the entire fabric of this [the anarchist] case, so far as relates to the competency of the jury."

Turning now to the assertion that the defendants were not proved guilty of the crime charged in the indictment, Governor Altgeld calls attention to the unique principle

of law laid down by the trial judge and thus stated by him in overruling the motion for a new trial:

> The conviction has not gone on the ground that they [the eight defendants] did actually have any personal participation in the particular act which caused the death of Degan [the first policeman to die from the effects of the bomb], but the conviction proceeds upon the ground that they had generally, by speech and print, advised large classes of the people, not particular individuals but large classes, to commit murder, and had left the commission, the time and place and when, to the individual will and whim, or caprice, or whatever it may be, of each individual man who listened to their advice; and that in consequence of that advice, in pursuance of that advice, and influenced by that advice, somebody not known did throw the bomb that caused Degan's death. . . . This case is without precedent; there is no example in the law books of a case of this sort.

Beyond remarking that "in all the centuries during which government has been maintained among men, and crime has been punished, no judge in a civilized country has ever laid down such a rule before," the Governor does not discuss this legal doctrine.

> But taking the law as above laid down, it was necessary under it to prove, and that beyond a reasonable doubt, that the person committing the violent deed had at least heard or read the advice given to the masses; for until he either heard or read it he did not receive it, and if he did not receive it he did not commit the violent act in pursuance of that advice; and it is here that the case for the State fails. . . . In fact, until the State proves from whose hands the bomb came, it is impossible to show any connection between the man who threw it and these defendants.

With reference to the mass of evidence introduced during the trial to show the use of seditious or incendiary

language by the defendants, it is pointed out that this "amounts to but little when its source is considered," and that such sentiments are always heard in times of great public excitement and "when men imagine that they have been wronged or are excited or partially intoxicated." The conception of a "gigantic anarchistic conspiracy" based on inflammatory articles published at intervals during a period of years in "obscure little sheets with scarcely any circulation" and on the inflammatory utterances of speakers before occasional audiences of insignificant size, in a city of nearly a million inhabitants, "is not entitled to serious notice." In Governor Altgeld's opinion, the so-called Haymarket riot was not the result of a conspiracy at all.

It is shown here that the bomb was, in all probability, thrown by someone seeking personal revenge; that a course had been pursued by the authorities which would naturally cause this; that for a number of years prior to the Haymarket affair there had been labor troubles, and in several cases a number of laboring people, guilty of no offense, had been shot down in cold blood by Pinkerton men, and none of the murderers were brought to justice. The evidence taken at coroners' inquests and presented here, shows that in at least two cases men were fired on and killed when they were running away, and there was consequently no occasion to shoot, yet nobody was punished; that in Chicago there had been a number of strikes in which some of the police not only took sides against the men, but without any authority of law invaded and broke up peaceable meetings, and in scores of cases brutally clubbed people who were guilty of no offense whatever.

An extended quotation is then given from the opinion of the presiding judge in a case arising out of the famous "Turner Hall incident" in Chicago several years before,

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when a conference of cabinet makers and their employers, meeting to consider a new wage agreement, had been suddenly raided by the police, who clubbed many of the persons present and shot one young man dead. In this opinion, after citing the indisputable evidence of lawlessness and brutality on the part of the police, the constitutional right of the people "to assemble in a peaceable manner to consult for the common good" was reaffirmed as a right to be exercised and enjoyed "independently of every other power of the State Government."

It is shown that no attention was paid to the Judge's decision; that peaceable meetings were invaded and broken up, and inoffensive people were clubbed; that in 1885 there was a strike at the McCormick Reaper Factory, on account of a reduction of wages, and some Pinkerton men, while on their way there, were hooted at by some people on the street, when they fired into the crowd and fatally wounded several people who had taken no part in any disturbance; that four of the Pinkerton men were indicted for this murder by the grand jury, but that the prosecuting officers apparently took no interest in the case, and allowed it to be continued a number of times, until the witnesses were sworn out, and in the end the murderers went free; that after this there was a strike on the West Division Street railway, and that some of the police, under the leadership of Capt. John Bonfield, indulged in a brutality never equalled before; that even small merchants, standing on their own doorsteps and having no interest in the strike, were clubbed, then hustled into patrol wagons, and thrown into prison, on no charge and not even booked; that a petition signed by about 1000 of the leading citizens living on and near West Madison street, was sent to the Mayor and City Council, praying for the dismissal of Bonfield from the force, but that, on account of his political influence, he was retained. Let me say here, that the charge of brutality does not apply to all the policemen of Chicago. There are many able, honest and

conscientious officers who do their duty quietly, thoroughly and humanely.

The statements contained in this paragraph of the pardon message are followed by several pages of supporting affidavits, including one from the largest public service corporation in Chicago and another from Captain Schaack of the Chicago police department, all testifying to Bonfield's brutal methods.

Again, it is shown that various attempts were made to bring to justice the men who wore the uniform of the law while violating it, but all to no avail; that the laboring people found the prisons always open to receive them, but the courts of justice were practically closed to them; and the prosecuting officers vied with each other in hunting them down, but were deaf to their appeals; that in the spring of 1886 there were more labor disturbances in the city, and particularly at the McCormick factory; that under the leadership of Capt. Bonfield the brutalities of the previous year were even exceeded. Some affidavits and other evidence is offered on this point, which I cannot give for want of space. It appears that this was the year of the eight-hour agitation, and efforts were made to secure an eight-hour day about May 1, and that a number of laboring men standing, not on the street, but on a vacant lot, were quietly discussing the situation in regard to the movement, when suddenly a large body of police, under orders from Bonfield, charged on them and began to club them; that some of the men, angered at the unprovoked assault, at first resisted, but were soon dispersed; that some of the police fired on the men while they were running and wounded a large number who were already 100 feet or more away and were running as fast as they could; that at least four of the number so shot down died; that this was wanton and unprovoked murder, but there was not even so much as an investigation.

While some men may tamely submit to being clubbed and see-

ing their brothers shot down, there are some who will resent it, and will nurture a spirit of hatred and seek revenge for themselves, and the occurrences that preceded the Haymarket tragedy indicate that the bomb was thrown by someone who, instead of acting on the advice of anybody, was simply seeking personal revenge for having been clubbed, and that Capt. Bonfield is the man who is really responsible for the death of the police officers.

It is also shown that the character of the Haymarket meeting sustains this view. The evidence shows there were only 800 to 1000 people present, and that it was peaceable and orderly meeting; that the mayor of the city was present and saw nothing out of the way, and that he remained until the crowd began to disperse, the meeting being practically over and the crowd engaged in dispersing when he left; that had the police remained away for twenty minutes more there would have been nobody left there, but as soon as Bonfield had learned that the mayor had left he could not resist the temptation to have some more people clubbed, and went up with a detachment of police to disperse the meeting; and that on the appearance of the police the bomb was thrown by some unknown person, and several innocent and faithful officers, who were simply obeying an uncalled-for order of their superior, were killed. All of these facts tend to show the improbability of the theory of the prosecution that the bomb was thrown as a result of a conspiracy on the part of the defendants to commit murder; if the theory of the prosecution were correct, there would have been many more bombs thrown; and the fact that only one was thrown shows that it was an act of personal revenge.

It is further shown here that much of the evidence given at the trial was a pure fabrication; that some of the prominent police officials, in their zeal, not only terrorized ignorant men by throwing them into prison and threatening them with torture if they refused to swear to anything desired, but that they offered money and employment to those who would consent to do this. Further, that they deliberately planned to have fictitious conspiracies formed in order that they might get the glory of discovering

them. In addition to the evidence in the record of some witnesses who swore that they had been paid small sums of money, etc., several documents are here referred to.

Of chief importance among the documents above mentioned is a newspaper interview, published in the *Chicago Daily News* of May 10, 1889, with Captain Ebersold, chief of police in Chicago at the time of the Haymarket trouble. In this interview Ebersold is quoted as saying, among other things: "It was my policy to quiet matters down as soon as possible after the 4th of May [1886]. The general unsettled state of things was an injury to Chicago. On the other hand, Capt. Schaack wanted to keep things stirring. He wanted bombs to be found here, there, all around, everywhere. . . . After we got the anarchist societies broken up, Schaack wanted to send out men to again organize new societies right away. . . . After I heard all that, I began to think there was perhaps not so much to all this anarchist business as they claimed, and I believe I was right." It was Governor Altgeld's view that such a statement, coming from such a source, "throws a flood of light on the whole situation, and destroys the force of much of the testimony introduced at the trial."

This section of the pardon message is brought to a close by the submission of affidavits in support of the charge that the police had fabricated evidence by bribery and terrorizing methods. A few pages follow in which the particularly flimsy character of the evidence against Fielden and Neebe is discussed; and it is shown that the case against Neebe would probably have been dismissed at the beginning of the trial, had the state's attorney not feared that such action might influence the jury

in favor of the other defendants. The message then concludes with these comments on the "prejudice or subserviency" of the trial judge:

It is further charged, with much bitterness, by those who speak for the prisoners, that the record of this case shows that the judge conducted the trial with malicious ferocity, and forced eight men to be tried together; that in cross-examining the State's witnesses, he confined counsel to the specific points touched on by the State, while in the cross-examination of the defendants' witnesses he permitted the State's Attorney to go into all manner of subjects entirely foreign to the matters on which the witnesses were examined in chief; also, that every ruling throughout the long trial on any contested point, was in favor of the State; and further, that page after page of the record contains insinuating remarks of the judge, made in the hearing of the jury, and with the evident intent of bringing the jury to his way of thinking; that these speeches, coming from the court, were much more damaging than any speeches from the State's Attorney could possibly have been; that the State's Attorney often took his cue from the judge's remarks; that the judge's magazine article recently published, although written nearly six years after the trial, is yet full of venom; that, pretending to simply review the case, he had to drag into his article a letter written by an excited woman to a newspaper after the trial was over, and which therefore had nothing to do with the case, and was put into the article simply to create a prejudice against the woman, as well as against the dead and the living; and that, not content with this, he, in the same article, makes an insinuating attack on one of the lawyers for the defense, not for anything done at the trial, but because more than a year after the trial, when some of the defendants had been hung, he ventured to express a few kind, if erroneous, sentiments over the graves of his dead clients, whom he at least believed to be innocent. It is urged that such ferocity of subserviency is without a parallel in all history; that even Jeffries in England contented

himself with hanging his victims, and did not stoop to berate them after death.

These charges are of a personal character, and while they seem to be sustained by the record of the trial and the papers before me, and tend to show the trial was not fair, I do not care to discuss this feature of the case any farther, because it is not necessary. I am convinced that it is clearly my duty to act in this case for the reasons already given, and I, therefore, grant an absolute pardon to Samuel Fielden, Oscar Neebe and Michael Schwab, this 26th day of June, 1893.

CHAPTER XI

BREAKING OF THE STORM

It is not difficult to understand the effect produced by Governor Altgeld's pardon message upon the great mass of public opinion. In its purely legal aspects, the case he had made out was invincible. It never has been, and never can be, demolished or even shaken. It proves beyond reasonable doubt its two main contentions, that the defendants were not given a fair trial and that the State had failed to establish any connection whatever between the defendants and the unknown person who threw the Haymarket bomb. Fielden, Schwab, and Neebe were pardoned not as an act of mercy but because they had been unjustly convicted. The verdict against them had been secured because court, jury, and prosecution had yielded to popular clamor, intensified to an hysterical pitch by the press and police of Chicago. The same "legal process" which had deprived them of their liberty for seven years had sent four other men to the gallows and indirectly caused the death of another. In effect, therefore, the community was placed under indictment for judicial murder. That such a charge should have aroused against its author all the latent ferocity of those elements which it so effectively arraigned was of course inevitable. Had he made out a weak case, had it been possible to put him down at once and for all on the merits of his own argument, the resulting storm would have been much less violent and of briefer dura-

tion. But realizing at the outset that the Governor's legal position was impregnable, the outraged guardians of society rushed to their favorite weapon and turned upon Altgeld himself such an intensive and protracted fire of personal vituperation as few other men in public life have ever faced. If his arguments could not be answered, at least his motives might be impugned, his reputation blackened, his political and business fortunes ruined; and to such ends the press, actively or passively abetted by nine-tenths of the most highly respectable persons in American life, bent its efforts with an almost fanatical fervor and persistency.

The legend was soon established, and survives to the present day, that Governor Altgeld pardoned the so-called anarchists primarily because he was himself an anarchist and sympathized with their doctrines and purposes. Although based solely on that form of logic which could with equal accuracy prove one of our recent Presidents an embezzler because he had pardoned Charles W. Morse, or another a German spy because he had pardoned Von Rintelen, this legend was the dominant *motif* of innumerable editorials, cartoons, sermons, articles, etc. Some of the myth-makers, soaring above the confines of prose, played lyrical variations on the theme —as for example, the *New York Sun,* which concluded an apostrophe "To Anarchy" with the following impassioned stanza:

O wild Chicago, when the time
  Is ripe for ruin's deeds,
When constitutions, courts, and laws
  Go down midst crashing creeds,
Lift up your weak and guilty hands

From out the wreck of States,
And as the crumbling towers fall down
Write ALTGELD on your gates!

One may well smile at such whirling idiocy as this; but the smile fades as one recalls the fact that such idiocy passed for sober commonsense in the minds of the "intelligent" majority for nearly a decade after Altgeld's pardon message appeared, and still continues to pass for such in many quarters.

Appropriately enough, the fact of Altgeld's foreign birth was incessantly harped upon in conjunction with the charge of anarchism. The three men whom he had pardoned were "foreigners"; four of the five men who had been condemned with them were "foreigners." What more natural than that one who was himself a "foreigner" should elect to stand by his fellows and espouse their cause, in opposition to "American" laws and institutions? "An alien himself and having little or no stake in the problem of American social evolution"—such was the common note, as struck in this instance by the *Washington Post*. "In all probability he came here to escape either the tyranny or the hard conditions that cramped his energies. And he has requited the protection and the civilization that made his manhood possible by befriending its insatiable enemies." The facts of the matter—that Altgeld had been brought to this country a babe in arms; that had he been born only three months later he would have been as "American" as perhaps ten millions of his contemporary fellow-citizens; that as a mere boy he had volunteered for service in the cause of his adopted country, and fought to maintain its integrity; that the whole of his manhood, throughout a

period of nearly twenty-five years, had been spent in upholding American laws and administering American institutions;—such facts as these were of small account to the molders of public opinion. The fortuitous circumstance of Altgeld's foreign birth gave them their opportunity to appeal to one of the basest, as it is also one of the most prevalent, of American prejudices; and they utilized that opportunity to the utmost.

In the cloudburst of epithets that fell upon the Governor's head at this time, "demagogue" figured only a little less prominently than "anarchist" and "foreigner." Over and over again the pardon message was characterized as a mere gallery play to the masses, designed to raise up a tidal wave of popularity for its author that would float him irresistibly into the Senate chamber at Washington. But in view of what was actually happening, this argument could not be very convincingly maintained; and even those who put it forward most volubly betrayed signs of inward doubt. "It is the strangest thing of all, if it be true," remarked Murat Halstead, a conspicuous editor of that day, "that the Governor means his extraordinarily improper message to be a bid for popular favor as a candidate for the United States Senate." Strange indeed that a man should choose to burn his own house for the purpose of roasting a bit of meat! As we have already seen, no one realized more clearly than Altgeld himself that his action meant political suicide. He prophesied that result in so many words —"Make no mistake about its being a popular move; if I do it I will be a dead man politically." He knew, as Henry D. Lloyd has said, "that for every vote he might gain by pardoning the anarchists, he would lose two. But his training as a lawyer, and his respect for the forms of

law, revolted against the sentences imposed on these men, and he felt that he must undo, so far as he could, the wrong committed against them." * He issued the pardons against the urgent advice and warnings, in some cases even the threats, of his party associates; and he saw their disastrous prediction, and his own, fulfilled to the letter. If this be demagogism, one can only suggest that the common dictionary definitions of that term call for radical revision.

But not all the criticism directed against Governor Altgeld was of that primitive type which consists in the flinging of opprobrious epithets, though this type very largely prevailed. His mortal offense, it was often said, lay not so much in granting the pardons as in attacking the "machinery of justice"—the courts and the police. Those who took this ground of course ignored the central fact in the whole situation, the fact that the pardons were granted only because a laborious and expert legal review made it perfectly apparent that in the anarchist case the "machinery of justice" had been manipulated to grossly unjust ends. Altgeld "deemed the life of the citizen to be as sacred against perverted legal procedure and the brutality of the guardians of the public peace as against the misdeeds of perverted men." This theory has always been unintelligible to the average person, to whom such an abstraction as "the sanctity of courts" does full duty for any reasoned concept of justice. The man in the street could not understand the Governor's masterly review of the anarchist case and of the legal grounds for granting the pardons. Only an equally able lawyer was capable of that. But everyone could see at once that "the sanctity of courts" had been assailed—

* Interview in the *Boston Herald*, January 12, 1895.

whether justly or unjustly did not matter; and the phrase-worshippers rushed to arms against the assailant.

This brings us to a related though a minor point, the one detail in which it seemed even to some of the Governor's most ardent supporters that his pardon message was really vulnerable. Brand Whitlock refers to this when, in his account of the signing of the pardons which has been quoted in a previous chapter of this book, he speaks with regret "that so great a soul should have permitted itself to mar the document by expressions of hatred of the judge who tried the case." Jane Addams, in "Twenty Years at Hull-House," touches on the same detail in her remark that "a magnanimous action was marred by personal rancor, betraying for the moment the infirmity of a noble mind." These criticisms undoubtedly refer chiefly, if not wholly, to the final section of the pardon message, dealing with the "prejudice or subserviency" of the presiding judge at the anarchist trial—Joseph E. Gary. In fairness to Altgeld, it should be noted that the reflections upon Judge Gary contained in this section are attributed to "those who speak for the prisoners." He states that the charges which he mentions are "of a personal character" and have been put forward "with much bitterness." Nevertheless, in his opinion, "they seem to be sustained by the record of the trial and the papers before me." One may fully concur in this conclusion, and yet feel that by repeating these charges the Governor weakened rather than strengthened his case, while at the same time he put a most effective weapon into the hands of his opponents. Within less than a week after the pardon message appeared, a prominent Chicago newspaper spread over its first page the reproduction in facsimile

of a somewhat bitter letter which Altgeld had addressed several years before to the three judges of the Appellate Court in Chicago, Gary being one of the three, in connection with a decision of that court reversing a judgment secured by Altgeld against the city for damages to certain property owned by him.* In an adjoining column of the same newspaper, over a long account of the incident, appeared these headlines: "Altgeld's Grudge; When He First Began to Hate Judge Gary; A Four-Year Grievance; Indecent Letter Written to Appellate Judges; Just Decision Angers Him; His Efforts to Stick the City for $26,000 Defeated; Can't Forgive One Who Beat Him." Far-fetched and essentially irrelevant as it was, this newspaper "stunt" yet served its purpose in convincing many persons that Altgeld's action in pardoning the anarchists had been influenced wholly or largely by personal spite.

An interesting sidelight on this general phase of the pardon message is contained in the unpublished reminiscences of Hon. S. P. McConnell, an intimate friend of Altgeld's, who tells of visiting the latter at Springfield a few weeks before the pardons were issued.

I called on the Governor at his office, and he invited me to luncheon at the Governor's mansion. After luncheon he asked me into the library, and there I saw stacks of records of the Anarchist case. He told me that he had been through all the records carefully, and that he had made up his mind to pardon Fielden, Schwab, and Neebe. He said that I was the first to know that he was going to do this, and that he wanted to read me his message and to get my advice about it. He then read the message and

* As his letter shows, Altgeld's anger in this affair had been stirred not so much by the court's adverse decision as by its gratuitous remark in that decision that "the course pursued by the appellee was fair, open, and free from any just grounds for censure." This "attempt to give me a certificate of character" was what Altgeld chiefly resented.

waited for my opinion. I said that I was deeply happy that he was going to pardon the men, that I thought he had handled the evidence in a masterly way and completely demonstrated the innocence of the men, but that I did not like the tone of the message. He did not seem at all sensitive to my criticism, and asked me to be more particular. I told him that it was too personal —that it had too much of Altgeld and not enough of the Governor in it, and that it contained too much criticism of the judge who had presided in the case. I argued that in a pardon message the Governor's attitude should be entirely impersonal. He admitted the justice of my criticism, and said that he would rewrite the message. Much to my surprise, he gave out the message a few weeks later in the precise terms in which he had read it to me. He had not changed a word.* Later I asked him why he had not rewritten the message as he said he would. He replied that he had intended to do so, but that his time had been so entirely employed that it had not been possible, and that he had given it out unaltered when he read Judge Gary's article in the *Century Magazine* regarding the trial of the Anarchists.

Of course, as Brand Whitlock has suggested in this connection, "it is not so easy to be calm and impersonal in the midst of the moving event, as it is given to others to be long afterward." At any rate, Altgeld seems to have overruled his own better judgment in allowing the personal reflections on Judge Gary to stand, and an otherwise unimpeachable document was marred to that extent. But this, as we have already said, is a minor detail; while it may be regretted, it cannot possibly affect the judgment of any fair-minded person on the merits of the pardon message as a whole.

* In view of the fact that when the message was first read to Judge McConnell the magazine article by Gary had not yet appeared, and as the message in its published form refers to that article at some length, this statement is obviously in error.

"You are younger than I and will live to see my pardon of the anarchists justified," Altgeld once remarked to a political associate at Springfield. It has long since been justified, in the eyes of everyone whose opinions are derived from an impartial survey of facts. But at the moment, and for years afterward, his act was everywhere denounced as a defiance of public order and an outrage upon public decency. The press of the country, from coast to coast, united in heaping vilification upon the executive who had "opened the gates from within" to the "rattlesnakes of anarchy." For the few remaining years of his life, Altgeld was the most reviled and hated figure in America. The attack upon him came in every conceivable form, and from all sides at once—like the converging fire upon the charging column at Balaclava. It was powerful enough to wreck his fortunes, to crush all his hopes, to break his heart. "He used to say that he was not sensitive to the furious denunciation of his action and of himself which swept over the country," writes a friend; "but I know that he *did* feel it and its injustice keenly. And he told me that sometimes the exhibition of fanatical hatred to him seemed almost 'sublime' like a fearful storm." * Through it all, however, his courage

* From a letter written by Judge Edward Osgood Brown. In an address before the Chicago Historical Society (Dec. 5, 1905), Judge Brown touches on this same point, as follows: "Those who knew and loved him best, who were close to his inner life and heart, know that composed, silent, seemingly indifferent to criticism and clamor as in public life he was, no man ever lived kinder, gentler, more humane in his feelings for the unfortunate and the weak, no man more affectionate as a friend, or in his family relations. It was said over his grave with truth that when bitter reproaches were heaped on him they did not fall on deaf ears or an unanswering soul, but that they bore no terrors with them like those of the condemnation of his own conscience, that he loved his friends, but could bid them one by one good-bye when they failed to follow where that conscience led."

never faltered. To the last day of his life he went on fighting with unbroken will, sustained by his own conscience and by the consciences of those others, a little scattered company of justice-loving men and women, who dared to applaud his act as "a deed which struck deeper than the matter of freeing a few individuals to the fundamental rights of human beings." William Dean Howells was of that company, and Henry D. Lloyd and Jane Addams and others whose approval and allegiance might well have supported a far less resolute spirit than his, in the face of almost universal disapprobation. Seldom in after life did he refer to the anarchist case at all, and certainly in no single instance did he ever stoop to answer by even so much as a word the charge of being himself an anarchist. To a friend who once asked him why he endured in silence the vile slanders heaped upon him by the press, he replied: "Remember this about any slander. Denial only emphasizes, and gives added importance to falsehood. Let it alone and it will die for want of nourishment."

CHAPTER XII

THE CHICAGO RAILWAY STRIKE OF 1894

Of the two nationally important incidents with which Altgeld's name is chiefly associated and in which his public reputation is most heavily involved, one has just been dealt with in several preceding chapters. The other must now be described and discussed in no less detail. In one important respect, a definite thread of causality binds the later incident to the earlier. But for his pardon of the "Chicago anarchists" and the hurricane of resentment evoked by his pardon message, the part which Altgeld played in connection with the great railway strike of 1894 would never have been so commonly misunderstood and could never have been so successfully misrepresented as it was. During the year that intervened between these two events, however, an infuriated press had established the myth that the Illinois Governor was "a friend of disorder" and "a champion of anarchy"; and in the excited state of public feeling at the time of the railway strike it was enough to distort his position into a verification of that myth. One had only to ignore all but the most superficial facts of the matter, as most newspaper readers were quite willing to do, and the indictment of Altgeld as "an enemy of society" appeared as complete as one cared to imagine it. Obviously taking their cue and their data solely from contemporary jour-

nalistic sources, American historians have gone on repeating this indictment to the present day.

Before discussing the part actually played by Governor Altgeld in the Chicago railway strike, and the ensuing controversy (if such it may be called) with President Cleveland, it is necessary first of all to place before the reader a brief account of the strike itself and of its principal attendant circumstances. The fullest, most authoritative, and most impartial source of information on this subject is the "Report on the Chicago Strike of June-July, 1894, by the United States Strike Commission Appointed by the President July 26, 1894"; and it is from this report, and from President Cleveland's own account of "The Government in the Chicago Strike of 1894," * that the following narrative has been chiefly compiled.

During the first fifteen months of Governor Altgeld's administration there were at least two serious labor disturbances in Illinois—one, in the spring of 1893, among the quarrymen around Lemont, and the other about a year later among the soft-coal miners in a strike that extended throughout virtually all of the bituminous coal-mining States. Close upon the heels of this latter came the strike at Pullman; and out of that grew the historic contest which, though it affected in varying degree at least half the States of the Union, is commonly called the *Chicago* railway strike because it originated and was chiefly fought out in that city. Pullman, on the southern edge of Chicago's sprawling area, had been built some fifteen years before to house the plant and

* First delivered, as a lecture at Princeton University, then published in *McClure's Magazine* (July, 1904), and later reprinted in Cleveland's "Presidential Problems" (1904) and as a separate volume (1913).

employees of the Pullman Palace Car Company, whose principal business was (and still is) the manufacture of sleeping and "parlor" cars and their operation on the larger railways of the country. In addition, it manufactured cars for the general market, and maintained a large repair plant. Externally, the "model town" of Pullman appeared model enough; but it was pervaded, as company-owned towns generally are, by a somewhat oppressive atmosphere of semi-feudalism. From this red-brick paradise, the serpent of trade unionism had always been rigorously excluded; and visitors were wont to note among the dwellers therein a certain sense of restraint and uneasiness, not unnatural to persons living by favor of a zealous and vigilant over-lord. The paid-up capital of the Pullman company had increased from an original $1,000,000 to $36,000,000, and the company had accumulated undivided surplus profits of $25,000,000. Dividends to the amount of $2,520,000 were paid to its stockholders for the year ending in June, 1893. During the depression following the World's Fair there was a heavy falling-off in business, and the company immediately reduced its force, adopted "short-time" measures, and cut wages. In the six months preceding May, 1894, the total wage reductions amounted to about twenty-five per cent. No salaries were reduced during this period, and the company refused to lower the rents of the tenements occupied by its workers, although these rents were from twenty to twenty-five per cent higher than the workers would have had to pay for similar accommodations elsewhere in Chicago and its neighboring towns. As a result of all this, there was much suffering and discontent in Pullman throughout the winter of 1893–94. In the early spring large numbers of the

workers joined the American Railway Union, which had been organized at Chicago during the previous year "for the purpose of including railway employees born of white parents in one great brotherhood," and which now comprised about 150,000 members. On May 9 an employees' committee representing all departments of the Pullman plant waited upon the management and urged the restoration of wages to the basis of June, 1893. The officials refused to consider this, on the ground that business conditions at that time made wage concessions of any sort impossible. Next day, contrary to an explicit promise on this point, three members of the employees' committee were dismissed by their foreman for alleged lack of work. Incensed by this action, the local unions met that evening and voted for an immediate strike. As soon as the strike was declared the company laid off all its remaining employees, and closed its shops.

Between June 9 and June 26 a regular convention of the American Railway Union met at Chicago, and the Pullman situation received careful consideration. Officials of the union proposed to the Pullman company that the points at issue in the strike be arbitrated by a joint committee. The company, however, declined to consider or even to receive any communication from the American Railway Union; and as a result it was decided by unanimous vote that members of the union should cease handling Pullman cars on all railroads after June 26. According to the report of the United States Strike Commission, "the officers and directors of the American Railway Union did not want a strike at Pullman, and they advised against it; but the exaggerated idea of the power of the union, which induced the workmen at Pullman to join the order, led to their striking against this advice.

Having struck, the union could do nothing less, upon the theory at its base, than support them." Fundamentally, the action of the American Railway Union was not a strike at all, but a sympathetic boycott, directed solely against the handling of Pullman cars. The members of the union did not quit their places; they announced their readiness to man and run all trains of which Pullman cars were not a part; and their officers particularly asked that such cars be separated from mail trains, in order that the latter should not be delayed.

From the outset, this larger contest growing out of the Pullman strike resolved itself into a trial of strength between the American Railway Union and the General Managers' Association, a voluntary unincorporated body representing the twenty-four railways centring or terminating in Chicago. These roads, with a combined capital of more than two billion dollars, operated about 41,000 miles of track, and controlled more than 221,000 employees. As stated in its constitution, the object of the association was "the consideration of problems of management arising from the operation of railroads terminating or centring in Chicago." From 1886, the year of its formation, until 1893 the association was chiefly concerned with matters other than wages; but in the latter year it fixed a so-called "Chicago scale" for switchmen upon all its roads, and distributed to its members a proposed uniform wage schedule for all classes of railway workers. It was also well understood that the association was prepared to "assist" each road in case of trouble over wage matters, "one form of assistance being for the association to secure men enough through its agencies to take the place of all strikers." Discharged employees were blacklisted, in that they could

not obtain future employment with any other road in the association. According to the report of the United States Strike Commission, this combination of managers "had no more standing in law than the old Trunk Line Pool," and was "an illustration of the persistent and shrewdly devised plans of corporations to overreach their limitations and to usurp indirectly powers and rights not contemplated in their charters and not obtainable from the people or their legislators." The report also points out that until the railroads set the example by combining "to fix wages and for their joint protection" "a general union of railroad employees was never attempted." But whatever its status before the law, this was the organization which, from beginning to end, directed and controlled the railroads' contest with the American Railway Union. Through a central agency, the association hired men to take the place of those who quit work, and assigned these men to duty; it maintained a publicity bureau; through its central headquarters constant communication was kept up with the civil and military authorities, and here the general managers of the railroads met daily to consider reports and direct proceedings, while their attorneys conferred together and worked jointly in legal action.

Early in the strike Eugene V. Debs, president of the American Railway Union, issued a manifesto in which he said: "The contest is now on between the railway corporations united solidly on the one hand, and the labor forces on the other. . . . I appeal to the strikers everywhere to refrain from any act of violence. A man who will destroy property or violate law is an enemy and not a friend of the cause of labor." This appeal seems to have been very generally observed during the first week

of the strike. Trains not carrying Pullman cars were moved as usual. When a switchman was ordered to attach Pullman cars to any train he refused, and upon his discharge the rest of the train crew quit work in a body. The men were quiet but determined; there was little disorder at any point and no particular interference with the mails. On the afternoon of June 30 the superintendent of the railway mail service at Chicago sent the following dispatch to the authorities at Washington: "No mails have accumulated at Chicago so far. All regular trains are moving nearly on time with a few slight exceptions." On the same day, however, the Federal district attorney in Chicago telegraphed to Washington that mail trains in the suburbs had been stopped by strikers during the previous night, that an engine had been cut off and disabled, and that conditions were growing more and more likely to culminate in the stoppage of all trains; and he recommended that the United States marshal in Chicago be authorized to employ a force of special deputies who should be placed on trains to protect mails and arrest those persons guilty of interference. In reply to this dispatch, Attorney-General Olney telegraphed the marshal to employ additional deputies as suggested; he also appointed Edwin Walker as special counsel for the Government in Chicago, "to assist the district attorney in any legal proceedings that might be instituted." In a letter of June 30 addressed to this special counsel, the Attorney-General wrote: "It has seemed to me that if the rights of the United States were vigorously asserted in Chicago, the origin and centre of the demonstration, the result would be to make it a failure everywhere else, and to prevent its spread over the entire country"; and in this

connection he indicated that it might be advisable, instead of relying entirely upon warrants issued under criminal statutes against persons actually guilty of obstructing the United States mails, to apply to the Federal courts for injunctions which would restrain and prevent any attempt to commit such offense. As a partial basis for such injunctions, Olney cited the Sherman Anti-Trust Act of 1890, by which conspiracies in restraint of trade and commerce among the several States were declared illegal. The authorities at Chicago lost no time in putting this novel suggestion into effect. On July 2 the United States District Court of Illinois, upon request of the district attorney, issued a so-called "blanket injunction" restraining the officials and members of the American Railway Union and "all other persons whomsoever" from interfering in any way with the transportation of mails and the carrying on of interstate commerce, as well as with the business of twenty-three railroads specifically named. Attempts even at persuading railway employees to quit work were forbidden in this remarkable document. Thus were sown the first tender seeds of that dubious process commonly known as "government by injunction," which has since grown to such sturdy proportions.

During the first three days of July determined efforts were also being made to have United States troops brought upon the scene. Although all the available testimony shows that there had been little if any disorder at Chicago in connection with the strike up to July 3, the immediate need for Federal troops was strongly urged upon the authorities at Washington by the Government's special counsel, the United States marshal, and the district attorney. Their pleas in this respect were at last

successful, and on July 3 President Cleveland ordered the entire body of Federal troops at Fort Sheridan (just north of Chicago) to proceed to the city, where it was placed under the command of General Miles. Serious disorder began to break out at precisely this point. During the next few days there were riots in various parts of the city; a dozen persons were killed and many wounded, and a large number of freight cars were burned or looted. On July 5 Mayor Hopkins issued a proclamation forbidding riotous assemblies, and the next day he made a request (the first that was sent to Springfield by anyone in Chicago) for State troops. Governor Altgeld at once placed three regiments of Illinois militia at his disposal; other regiments quickly followed until within a day or two practially the entire State forces were on duty in and around Chicago. On July 8, President Cleveland issued a proclamation warning all persons "in any way connected with unlawful obstructions, combinations, and assemblages to disperse and retire peaceably to their respective abodes on or before twelve o'clock noon of the 9th day of July instant. Those who disregard this warning . . . cannot be regarded otherwise than as public enemies." Some disturbances occurred during the next few days; but by the 13th the situation had quieted down. A week later the Federal troops left Chicago; and the last of the State troops were withdrawn on August 6.

The United States Strike Commission discovered nothing to justify the belief that "the officers of the American Railway Union at any time participated in or advised intimidation, violence, or destruction of property." While "strikers were concerned in the outrages against

law and order, the number was undoubtedly small as compared with the whole number out"; and "the mobs that took possession of railroad yards, tracks, and crossings after July 3, and that stoned, tipped over, burned, and destroyed cars and stole their contents, were, by general concurrence in the testimony, composed generally of hoodlums, women, a low class of foreigners, and recruits from the criminal classes. Few strikers were recognized or arrested in these mobs, which were without leadership, and seemed simply bent upon plunder and destruction." "In the view that this railroad strike was wrong; that such mobs are well known to be incidental to strikes, and are thereby given an excuse and incentive to gather and to commit crime, the responsibility rests largely with the American Railway Union; otherwise that association, its leaders, and a very large majority of the railroad men on strike are not shown to have had any connection therewith."

Early in the course of the strike, a prominent citizens' organization of Chicago known as the Civic Federation twice sent a committee to urge upon the Pullman company the conciliation or arbitration of differences with its employees. Upon both occasions the company took the position that there was nothing to arbitrate. Efforts toward the same end made by the common council of Chicago were equally unsuccessful; and the company repeated its stereotyped answer when appealed to by Mayor Pingree of Detroit, who claimed to have telegrams from the mayors of more than fifty large American cities urging recourse to arbitration. Upon this point, the report of the United States Strike Commission makes the following significant comments:

The policy of both the Pullman company and the General Managers' Association in reference to applications to arbitrate closed the door to all attempts at conciliation and settlement of differences. The commission is impressed with the belief, by the evidence and by the attendant circumstances as disclosed, that a different policy would have prevented the loss of life and great loss of property and wages occasioned by the strike.

On July 10, Eugene Debs and three other principal officers of the American Railway Union were indicted by a special Federal grand jury for conspiracy under the Sherman Anti-Trust Act. They were at once arrested, but gave bail in the amount of $10,000 each. A week later they were rearrested and adjudged in contempt of court for violation of the Federal injunction. They now refused bail, and were placed in prison. This event virtually ended the strike; and the last hope of the railway men vanished when the executive committee of the American Federation of Labor, in session at Chicago, refused to advise a sympathetic general strike and urged the men to return to work. The next day the American Railway Union, through the mayor of Chicago, sent a communication to the General Managers' Association, offering to declare the strike off, provided the men were restored to their former positions without prejudice, except in the cases of those who had been convicted of crime. This communication was returned unanswered. With its leaders in jail, its forces disorganized, and the whole power of Federal, State, and city authority ranged against it, the American Railway Union was hopelessly beaten—and with it the cause of the striking Pullman employees. Eugene Debs was sentenced to six months' imprisonment, and his three colleagues to three months each, for contempt of court under the Federal injunction.

These sentences were later sustained by unanimous decision of the United States Supreme Court. Following the contempt proceedings, the four men were placed on trial under the indictments for violation of the Sherman Anti-Trust Act. This trial was interrupted at an early stage by the alleged illness of one of the jurors; and although the defense made every effort to have it continued, the case was finally after many postponements quietly struck off the docket.

CHAPTER XIII

GOVERNOR ALTGELD AND THE STATE MILITIA IN THE RAILWAY STRIKE

To those persons who derive their knowledge of current events solely from newspaper headlines, the Chicago railway strike at once assumed the simple personalized form of melodrama, in which guise it still continues to be presented by our popular historians. "Debs' Rebellion" is the title of the piece; and Eugene Debs, of course, plays the part of heavy villain. President Cleveland is the intrepid hero who at the appropriate dramatic moment, when everything looks hopeless, rescues the saintly heroine (a symbolic rôle, intended to represent the audience itself—or, as it is commonly phrased, "the public") from the machinations which have all but effected her ruin. In a final tableau, the discomfited villain is being handed over to a policeman, while the heroine reposes upon the broad bosom of her deliverer in an attitude expressive of unbounded gratitude and affection.

But the piece contains yet another leading character—a pseudo-respectable desperado who, acting ostensibly as the heroine's guardian, cooperates *sub rosa* in the evil designs of the villain. This rôle is assigned to Governor Altgeld. Throughout the whole of "Debs's Rebellion," according to the melodramatic interpretation, he secretly sympathized with the rebels and "played their game"; he refused to use his official powers in any way to suppress the rebellion and its attendant disorders; he even at-

tempted to "keep the riots going" after President Cleveland had intervened in behalf of law and order; and, finally, he was "insolently angry" with the President for assuming the public duty to which he had been recreant. Such is the "fable agreed upon" with respect to Altgeld's course in the railway strike of 1894. It has been too long and firmly established to be easily demolished, but the task must nevertheless be undertaken. We shall first examine the facts as to Governor Altgeld's alleged sympathy with the railway strikers and his alleged failure to suppress their riots; leaving the matter of his protest to President Cleveland for separate treatment later on.

It is a time-honored principle in American government that the responsibility for preserving peace and enforcing law devolves, in the first instance, upon the local authorities in any community. While in Illinois, as in nearly all other States, the Governor is empowered to call out the State militia virtually at his own discretion "to execute the laws, suppress insurrection, and repel invasion," in actual practice he rarely exercises this power except upon the specific request of some local officer, usually the sheriff of a county or the mayor of a city, whose own resources in a public emergency have been exhausted. During the strike of the Lemont quarrymen in June, 1893, and of the soft-coal miners a year later, Governor Altgeld found it necessary to employ the State militia in suppressing sporadic disorders. In the course of the coal strike he despatched troops to nine different points within the State, acting in every case with the utmost promptness and decision upon the representations of local authorities. No previous Governor of Illinois ever made such general and liberal use of the militia as did Altgeld at

this time. While other States (including Ohio, of which McKinley was then Governor) were partially paralyzed by the same strike, the normal industrial life of Illinois suffered but little disarrangement. As typical of Altgeld's attitude during the coal strike, at least one incident must be recounted here. Early in June some four hundred strikers, mostly from mining towns in Peoria county, made an attack upon men working in a mine near the village of Wesley, in Tazewell county. One of the men was killed, three were severely wounded, and the mine buildings and machinery were destroyed. Upon being notified of this occurrence, Governor Altgeld at once dispatched three companies of State militia to assist the sheriffs of the two counties in making arrests and maintaining order. A few hours after the troops arrived, the sheriff of Tazewell county telegraphed to Springfield regarding the use that had been made of the military and asking the Governor's sanction for further proposed steps of the same sort. Altgeld replied as follows:

> You are doing exactly what we want done. Arrest every man who has violated the law. Keep the troops as long as you need them for this purpose.

Within less than three weeks after a settlement of the coal strike had been effected, the American Railway Union declared its sympathetic boycott of Pullman cars, in support of the striking employees at Pullman. This action was taken on June 26, 1894. Two days later the Illinois Central Railroad applied to Springfield for military protection at Cairo; but in response to a telegram from Governor Altgeld, the sheriff of the county reported that there were no disturbances at this point. Later,

however, reports reached the Governor of trouble at Mounds, a few miles north of Cairo, and he ordered the assistant adjutant-general to make a personal investigation on the ground. This was done, and at a conference between the official just mentioned, the United States marshal for the district, the local authorities, and the railway employees, a mutual agreement was made to facilitate the movement of all trains for which the railroad officials could provide crews. Not long after, a second disturbance occurred at Mounds. The Sheriff still refused to ask for troops; but acting upon the recommendation of the county judge, the assistant adjutant-general, and the United States marshal, the Governor ordered six companies of State troops to Mounds and Cairo, to support the civil authorities in maintaining order. Trains in that part of the State were then moved as fast as the railroads could find crews. Similar action was promptly taken in connection with disturbances in other parts of the State. On July 1 a dispatch was received at Springfield signed by passengers on a Wabash train at Decatur, stating that no effort was being made by the railroad company to move their train and requesting assistance from the State authorities. Governor Altgeld at once sent the following telegram to the sheriff at Decatur:

> I have a dispatch purporting to come from five hundred passengers now detained at the depot in Decatur because trains are obstructed by strikers, and they ask for assistance. Wire me the situation fully. Are railroad officials making proper efforts to move trains, and are you able to furnish the travelling public the necessary protection and to enforce the law?

To this the sheriff replied that while he had thus far

been able to maintain order he could do so no longer, and he urged the need of troops. Altgeld then sent him this telegram:

Have ordered troops to your assistance. They should reach you before sunrise. See that all trains unlawfully held are released at once.

On the same day (July 1), the general counsel of the Chicago and Eastern Illinois Railroad telegraphed for State assistance at Danville, stating that mail trains were tied up there and the sheriff would do nothing. Altgeld replied as follows:

We can furnish assistance promptly if the civil authorities show that they need it. Thus far there has been no call for assistance from any of the officials of Vermilion county, either sheriff, coroner, mayor of town, or the county judge.

At the same time the following dispatch was sent to the sheriff of Vermilion county:

Officials of the Eastern Illinois Railroad complain that their trains have been tied up at Danville for forty-eight hours by strikers, and that they cannot get sufficient protection to move them. Please wire me the situation fully. Can you enforce the law and protect the travelling public with such force as you can command?

A similar telegram was also sent to the county judge and other local officers. The sheriff telegraphed back to Springfield as follows:

Your message received. Send me one hundred rifles and ammunition by first train, and I will try to protect the railroad's men and property. As to the situation, there are from three hun-

dred to seven hundred strikers on the ground and oppose the movement of any and all trains or cars except mail cars. They are usually quiet and duly sober, but are very determined. I will advise if I am not able to afford protection.

To this message the Governor replied:

We have not got one hundred stand of arms left here. From information we get we consider situation serious at Danville, and therefore send you troops. They will be there early in the morning. All those trains unlawfully held should be moved before noon.

Thus, in a single day and within a few hours of his being apprised of disturbances at these points, Governor Altgeld had ordered troops to both Decatur and Danville, and they were on the scene of trouble early the following morning. Similar prompt and energetic action was taken in four or five other cases of disorder at places outside Chicago during the period from June 28 to July 8 inclusive. It is impossible, within the space of a single chapter, to describe all these incidents. Those who care for the complete story will find it, together with a large mass of supplementary evidence, in the biennial report of the adjutant-general of Illinois for 1893–94, which reads almost like a record of war operations, so constantly and extensively was the State militia employed during those troubled days.* In his "Forty Years of It," Brand Whitlock writes that at this time "down in the adjutant-general's office at the State House there was the stir almost of war itself, with troops being ordered here and there about the state, and the Governor harried and

* The more important facts are also given in Altgeld's Cooper Union speech of Oct. 17, 1896, which is devoted in largest part to the Chicago railway strike.

worried by a situation that presented to him the abhorrent necessity of using armed force."

But what, meanwhile, of conditions in Chicago, the birthplace and chief battleground of the strike? As far as any direct intimation from the authorities or railway managers *there* was concerned, Governor Altgeld could scarcely have known that a strike existed in Chicago at all, much less that it was accompanied by disorder or obstruction of the laws. In his own words, "no application of any sort for troops was made to the Governor by the United States Marshal or any of the United States authorities at Chicago, nor was any such application made by any of the local city or county officials at Chicago until the 6th of July, and then such application was made on my own suggestion." And yet as early as June 30 the Federal district attorney in Chicago had requested and secured Attorney-General Olney's authorization for employing a large body of special deputy marshals to guard trains and other railroad property; on July 2 the Federal garrison at Fort Sheridan was ordered to prepare for immediate service in Chicago; and alarmist telegrams continued to fly thickly to Washington, until the arrival of Federal troops early on July 4. All this time Governor Altgeld was responding promptly to calls for military assistance from other sections of the State, and every preparation had been made for such assistance in Chicago the moment it should be requested. To the truth of this latter statement, Henry D. Lloyd has testified as follows:

> I happened to be in Springfield at the time of the strike, and spent an evening [that of July 3] with Governor Altgeld. He entertained me in the executive office, and showed me a huge map

of the state of Illinois, on which was marked, with tacks and pins, the position of every company of militia; while a great sheet lay on the desk, showing exactly what companies were under arms, what railroads would be most efficient in taking them to Chicago, and what provisions were made for sustenance. The governor had the troops of the whole state practically under arms, and ready to throw into Chicago, when request should be made for them.*

At last, notwithstanding the reassuring telegrams which reached him from the mayor and sheriff at Chicago in response to his repeated requests for information, Governor Altgeld became so uneasy that he sent the assistant adjutant-general to investigate actual conditions in the metropolian strike area. This official reported that while the city and county authorities had so far been able to handle the situation, he doubted their ability to do so much longer, as matters were assuming a more threatening aspect. The events which immediately followed have been thus narrated by the Governor himself:

On the 5th of July the conditions were about the same as on the 4th, but there were rumors of an extension of the strike, and it is evident that the Federal troops were doing no good there. On the morning of July 6 the President of the Illinois Central Railroad telegraphed me that the property of his road was being destroyed by a mob and that he could not get protection. I wired him at once to get someone of the local authorities who are authorized to ask for troops to do so, and that if all should refuse, to wire me that fact, and we would furnish protection

* From article by Willis J. Abbot in *The Pilgrim* for April, 1902. Quoted in Caro Lloyd's "Life of Henry Demarest Lloyd," Volume I., page 147.

promptly. I took the position as a matter of law that if the local authorities failed to protect property and enforce the law and refused to apply for State aid while property is actually being destroyed and the peace is being disturbed, then the Governor of the State not only has the right, but it is his duty, to see that order is restored and the law enforced, and therefore I sent that telegram. At the same time I sent a telegram to a friend in Chicago requesting him to see Mayor Hopkins at once and tell him that it seemed to me the situation was serious and that he had better apply to the State for aid. This message was at once communicated to Mayor Hopkins, and about noon on that day, the 6th of July, the day on which the property was destroyed, the mayor telegraphed for troops and by sundown on that day we had put over 5000 State troops on duty in Chicago, although some of them had to be transported 150 miles to reach the city. Never were troops moved with greater celerity. . . . Within twenty-four hours after the State troops arrived on the ground the rioting was suppressed. There were still a few cases, during the following days, of stealthy incendiarism, but no more forcible resistance. On the morning of July 7 one of the companies of State troops was attacked by a large mob and opened fire on it, and several men were killed.*

Such, in briefest outline, are the facts regarding the part played by Governor Altgeld and the State militia in the railway strike of 1894. They call for little by way of general commentary. So far from failing in his duty at any point, the plain truth is that no American executive was ever more zealous and scrupulous than Altgeld in honoring requests for military assistance in a time of public disturbance.† Indeed, as has been shown

* Cooper Union Speech of October 17, 1896. Reprinted in "Live Questions," pages 664–65.

† The extent to which State troops were used during the railway strike

above, in one instance he did not wait until troops had been asked for, but sent them on his own initiative; while their presence in Chicago, belated by what seemed almost a general conspiracy to keep them out, was due essentially to his personal insistence that they were required. And if credit for suppressing the Chicago disturbances must be individually assigned, it belongs far more properly to Governor Altgeld than to President Cleveland. While the presence of Federal troops no doubt did much to overawe the hoodlums who had taken advantage of the strike to burn and loot freight cars, it was the incident of July 7, when a company of State militia fired point blank into the mob at Loomis street, that marked the end of serious disorder. Probably, as Brand Whitlock has suggested, "Governor Altgeld was willing to forego any 'credit' for an act which, however necessary to the preservation of order, demanded so many lives"; but the fact remains that this act cut the spinal cord of the Chicago riots.*

During the presidential campaign of 1896, when the Democratic plank denouncing "arbitrary interference by Federal authorities in local affairs" was being characterized up and down the country as a plea for "free riots," Henry D. Lloyd published a newspaper article about Governor Altgeld's attitude in the Chicago railway strike which constitutes an excellent summary of the whole matter. Mr. Lloyd wrote in part as follows:

is reflected in the adjutant-general's statement of expenses incurred by the State for the Illinois National Guard while on active service from July 2 to August 7. These expenses (exclusive of rifles and ammunition purchased, unaudited claims, and interest on pay-rolls) amounted to something over $300,000. See Biennial Report of the Adjutant-General of Illinois for 1893–94, page xxxi.

* See "Forty Years of It," page 92.

I was an eye-witness of Governor Altgeld's conduct during the great Pullman strike of 1894. . . . I spent a number of hours with him at the most critical point of those eventful July days. . . . The real Governor Altgeld, as I saw him, was in constant and anxious conference with the Adjutant-General of the State and other military officers. He was receiving and sending dispatches connected with the movement of State troops. He was fertile in suggestions which lay outside the sphere of his technical obligations. . . . So resolute was the Governor that there should not be the slightest occasion for any chance of a failure on the part of the State to do its full duty in the protection of life and property that he sent troops when called for, even though he did not believe the alleged need for their services was genuine. As one demand for troops came by telegraph and was answered by an order for their dispatch, the Governor said to me in substance:

"I have reason to fear that these troops are wanted at that place only to help the railroad defeat the demand of their men for higher wages"—this was the case of a strike not connected in any way with the general strike—"but I cannot refuse to send them in the face of allegations of public danger."

In the intervals of all this business the Governor discussed the various aspects of the trouble with the frankness of one talking with a personal friend. He deplored the strike, and said that, in his judgment, it could not possibly succeed, or even last many days longer. The farmers and business men of the State were wild, he said, on account of the stoppage of traffic on the roads. . . .

"If it becomes necessary," he said, I particularly remember, "I could and would put 100,000 men into the city of Chicago inside of five days. The whole State would answer to the call as one man." The records of the time show that every application from Chicago for State troops was promptly answered, as from every other place in the State. . . . Governor Altgeld acted in this crisis with the most scrupulous faithfulness to his official obligation. He did this, as the remark quoted above indicates, al-

though he believed, as other cool and conscientious observers believed and believe, that the troops were being called for by the railroads for other reasons than to put down disorder; that the "riots" were largely "fakes," and that what was real of them was mostly the work of the railroads. . . . The railroads had everything to gain by a little well-advertised rioting which could be attributed to the strikers. The strikers had everything to lose by violence, and they knew it. Whatever Governor Altgeld, who is a shrewd and successful lawyer, judge, man of affairs, and politician, may have divined of all this, he did not allow it to lead him into any failure to comply to the fullest with the strict letter and the spirit of his public duty to preserve order. Even as a mere politician, he would have been led by his estimate, described above, of the intense and almost unanimous disapproval of the strike to show not the slightest sign of paltering with it. There were other personal reasons as strong.

In the centre of the city of Chicago, Governor Altgeld had property to the value of many hundreds of thousands of dollars. "Free rioting" would have destroyed this and the whole fortune he had built up by a life of prudent and sagacious enterprise. Those who can believe that a man of distinguished intellectual ability, whose life-training has been that of the law, the most conservative of sciences, who has sat for years as a judge upon the bench, without whisper of reproach, who has never given favor by so much as one word, private or official, to a single one of the radical social theories of the day, not even going so far as to accept the mildest "municipal socialism" of European monarchical cities, who, as Governor, has kept well within the most conventional lines of public enterprise, and who has indulged that "Satanic Radicalism" of his which keeps so many good people in New York and Massachusetts awake these nights, in nothing more revolutionary than prison and insane asylum reform and factory inspection, who has accumulated a large fortune in real estate and some of the best office property in the business heart of Chicago—those who can believe that such a man is an "Anarchist,"

and believes in free rioting in general, ought at least to have common-sense and sense of humor enough to know that he could not have believed in the particular "free rioting" which took place in Chicago in July, 1894.*

* From the *New York Morning Journal* for October 18, 1896. Reprinted in Caro Lloyd's "Life of Henry Demarest Lloyd," Volume I, pages 147–151.

CHAPTER XIV

SOME "INNER HISTORY" OF THE RAILWAY STRIKE

In attempting to explain some of the more occult circumstances connected with the railway strike, particularly the strange unanimity of purpose evidenced by the public authorities and the railway officials at Chicago in ignoring Governor Altgeld and refraining from any application for State troops during the first ten days of the strike, we must stray a little from what might be regarded as the strict scope of this book and deal with matters in which Altgeld was not directly concerned. But those matters are nevertheless essential to the present narrative. It is impossible to form any competent judgment of an episode in which Altgeld's reputation has been so deeply involved without taking into account certain less obvious facts and circumstances hitherto for the most part ignored or overlooked.

If events at Chicago in late June and early July had seemed to warrant such action, a request for State assistance might properly have been made by either the mayor of Chicago, the sheriff of Cook county, the United States marshal for the northern district of Illinois, or the railway officials whose property was attacked or threatened. But neither the mayor nor the sheriff could legitimately make such an application until their own resources for preserving the peace had been exhausted; and only in

this emergency also, or unless the local authorities refused to exert their best efforts, were the United States marshal or the railway officials justified in making a direct appeal to Springfield or to Washington. There can be no doubt that the mayor and the sheriff, with their regular forces augmented by a large number of special police officers and deputy sheriffs, had the situation well in hand up to and including July 3, the day on which Federal troops were ordered to Chicago. Regarding their failure to apply for State aid during the disturbances of July 4 and 5, various explanations have been offered. One theory has it that political motives were responsible: the mayor was a Democrat, the sheriff a Republican, and each wished to throw upon the other the onus of an act that was bound to be unpopular with working-class voters. According to another and more fantastic theory, their hands were tied by a prominent local politician who, to satisfy an ancient grudge against the Pullman company, was working toward the latter's discomfiture in the strike. Doubtless the most reasonable explanation is that, with Federal troops already on the ground, further assistance seemed unnecessary. But, at any rate, neither the mayor nor the sheriff appealed to Springfield until July 6, when the mayor acted in accordance with Governor Altgeld's urgent suggestion.

The failure of the United States marshal for northern Illinois to request State aid is less explicable because he, unlike the mayor and the sheriff, seems to have become alarmed early in the strike. On June 30 we find him engaged in organizing an army of special deputy marshals, and on July 3 he is telegraphing to Washington that "no force less than the regular troops of the United States can procure the passage of the mail-trains or en-

force the orders of the courts." All this time some three thousand State troops could have been mobilized in Chicago on two hours' notice. For the benefit of those who assert that Federal officials must look solely to the Federal government for protection and assistance, it need only be said that this was not the view of Attorney-General Olney—or at least it was not his view just ten days before the "Debs Rebellion." At that time a number of striking coal-miners had interfered with a railway which was in the hands of a receiver appointed by the United States District Court at Springfield. Writs for the arrest of the offenders had been placed for execution with the United States marshal for the southern district of Illinois but he and his deputies found it impossible to make the arrests or protect the railway involved. An appeal for assistance was thereupon telegraphed to Attorney-General Olney at Washington, who replied as follows on June 16, 1894:

> ALLEN, United States Judge, Springfield, Ill.
>
> I understand the State of Illinois is willing to protect property against lawless violence with military force if necessary. Please advise receiver to take proper steps to procure protection by civil authorities of the State. If such protection proves inadequate, the government should be applied to for military assistance.
>
> OLNEY, Attorney-General.

Upon receipt of this dispatch, the local Federal authorities made application to Governor Altgeld for State troops, and a regiment was immediately sent to assist the marshal in making arrests and preserving the peace. In at least two other situations during the coal and railway strikes, Federal officers for the southern district of Illinois asked and received State military aid in

similar or largely similar circumstances. Obviously, there must have been some rather extraordinary reason why the United States marshal and other Federal authorities for the *northern* Illinois district should have consistently ignored the procedure which the corresponding officials for *southern* Illinois had adopted on several occasions under the explicit instructions of Attorney-General Olney himself.

Obviously, also, there must have been some extraordinary reason why the railway managers in Chicago were no less reticent about asking for State assistance than were the Federal authorities for that district. They knew, or should have known, that Governor Altgeld was responding promptly and energetically to every call for troops from other sections of Illinois; and they knew also that there were at this time in Chicago at least three regiments of State militia, ready for immediate service. Yet from the beginning of the strike until July 6, two days after the Federal troops arrived, no single application for protection or assistance was made to Governor Altgeld by any railroad official in the city where the strike originated and was chiefly fought out. In Altgeld's own words, the State troops were not put on duty in Chicago "because nobody in Cook County, whether official or private citizen, asked to have their assistance, or even intimated in any way that their assistance was desired or necessary." * Only one explanation of this surprising fact seems possible. The General Managers' Association had planned from the outset to keep State troops away from Chicago and to have Federal troops brought in. No doubt the common distrust of Governor Altgeld played some part in determining this course; and prob-

* Dispatch to President Cleveland, July 5, 1894.

ably it was also felt that Federal soldiers would be more efficient and less inclined to sympathize with the strikers. But these considerations were of small account in comparison with the all-important moral effect which the presence of United States troops would exercise, not merely upon the strikers and their adherents but upon public opinion throughout the country. The railway managers were unitedly resolved upon two things: to win the strike, and to destroy the American Railway Union. They understood as clearly as do their successors today that nothing is of surer efficacy in breaking a strike and discrediting a labor organization than Federal intervention. What was before merely a conflict between workers and employers becomes at once, in the public view, a conflict between workers and the Government; and from that point the result is never in doubt. To make certain of Federal intervention in the railway strike at Chicago, it was necessary to prevent State intervention; and the railway managers worked consistently in pursuance of this double purpose.

Under our prevailing economic code of "dog eat dog," such a purpose may well be considered both natural and legitimate. But what must impress any impartial person as wholly unnatural, wholly illegitimate, is the amazing unanimity and zeal with which the Federal authorities, at both Chicago and Washington, fell in with the railways' intrigues. If, at the beginning of the strike, the United States government had placed itself under orders of the General Managers' Association, the cooperation could scarcely have been more perfect. As already stated, the first intervention from Washington occurred on June 30, four days after the strike went into effect. Up to this date, and indeed for three days after-

ward, there was no unusual disorder in Chicago, no exceptional threat to Federal property, no organized resistance to Federal court writs, no serious obstruction of the mails. Public opinion was still largely on the side of the Pullman employees, and the railroad strikers were winning by peaceable means all along the line. At this point "it must have been plain to the managers that if the strike remained a peaceful one, the railways would be defeated. If, however, violence and crime were associated with it, public sympathy would no longer sustain the strikers, and the power of the law would be invoked against them." * With Federal sanction and cooperation, the old device of the *agent provocateur* was now brought into play. On June 30, upon representations from the district attorney at Chicago, Attorney-General Olney authorized the United States marshal in that city to employ a large force of special deputies. This the marshal lost no time in doing, to the number of between three and four thousand men. These special deputies, according to the United States Strike Commission, were selected by and appointed at the request of the General Managers' Association and its constituent members; they were armed and paid by the railroads, and acted in the double capacity of railway employees and United States officers, although while exercising authority they were under the direct control of the railroads and not of any public official. Thus, as a first step, the Federal government gave over its local police power directly into the hands of the railroads, allowing them to recruit (chiefly through detective agencies) a considerable body of reckless and irresponsible men, to arm them, and to send them out in the guise of United

* Harry Thurston Peck's "Twenty Years of the Republic," page 381.

States officers to do whatever was required of them by the railroads. The Chicago superintendent of police, in an official report, refers to these special deputies as "thugs, thieves, and ex-convicts"; and that characterization is amply verified in the testimony of many witnesses before the United States Strike Commission. As later events proved, no step could have been more disastrous to the public peace (however fortunate for the railroads) than the injection of these quasi-official gunmen into the situation at Chicago. Their presence and behavior incensed the striking railway employees in such degree that outbreaks of violence became inevitable; and to their account must be laid the responsibility for directly or indirectly inciting the largest part of whatever disorder occurred during the succeeding two weeks.*

In the same dispatch of June 30 which authorized the employment of special deputy marshals on a huge scale, Attorney-General Olney (acting always, it must be assumed, under orders of, or at least in consultation with, President Cleveland) also placed the local Federal

* Henry D. Lloyd's notebook for this period contains the following memorandum: "E. W. Bemis was told that Mayor Hopkins [of Chicago] before leaving office procured 40 affidavits showing that the burning of freight cars was done by railroad men [i. e. agents of the railroad corporations]; that the railroad men moved cars outside of fire limits, then burned them, inciting bystanders to participate. Hopkins, fearing these affidavits might be destroyed by some subsequent railroad mayor, took certified copies before leaving office." (See Caro Lloyd's "Life of Henry Demarest Lloyd," Volume I., page 152.) It is a significant fact that although, under a legislative act of 1887, the city of Chicago is liable for destruction of property by mob violence even when unable to prevent the violence, no claim for damages in connection with loss of property during the strike of 1894—a loss which, as estimated by the Chicago Fire Department, amounted to about $355,000—was ever pressed in the courts by any Chicago railway corporation. For reference to this and other illuminating details in the "unwritten history" of the railway strike, see "Editor's Table" in the *New England Magazine* for October, 1896.

judicial power at the exclusive disposal of the railroads. The principal means employed to this end was the appointment of Edwin Walker "as special counsel for the Government, to assist the district attorney in any legal proceedings that might be instituted"; together with the suggestion that Federal injunctions be drawn up and issued against the strike leaders. President Cleveland, in his account of the strike, speaks of Mr. Walker as "an able and prominent attorney in Chicago" —a description accurate enough as far as it goes, but somewhat incomplete. Mr. Walker was at that time, and had been since 1870, the able and prominent attorney of the Chicago, Milwaukee, and St. Paul Railway, one of the principal roads involved in the strike. He had also acted in a similar capacity for other of the roads involved.* Thus the cloak of Federal authority was thrown over a salaried official of the railroads; and the legal powers of the Federal government were placed at his disposal for fighting the railroads' battle. Mr. Walker proved entirely worthy of his unique opportunity. He immediately drew up the injunction bills, as suggested by the Attorney-General; three days after his appointment he had accomplished the railroads' prime purpose of getting Federal troops into Chicago; and a week later he obtained the indictment of Debs and his fellow officers of the American Railway Union.

The injunction proceedings, it should be noted, were based in largest part upon the Interstate Commerce Act of 1887; while the indictments were obtained under the Sherman Anti-Trust Law of 1890. Both of these meas-

*It may not be altogether irrelevant to note here that Mr. Olney himself was chiefly known as a "railroad lawyer," and that his principal clients at the Bar had been railroads, before his appointment as Attorney-General in President Cleveland's second Cabinet.

ures aimed ostensibly at certain evil practices of large corporations; the first was directed against the railroads, while the second applied to railroads no less than to other corporations. Neither one contained even a remote reference to labor or labor organizations.* But the ingenuity of railroad and other corporation officials, backed almost uniformly by the Federal courts, in evading these two laws had known no bounds; and at the time of the Chicago railway strike both were virtually inoperative. Attorney-General Olney had initiated not a single prosecution under the Sherman Anti-Trust Law during his term of office up to this time, and had publicly expressed his doubt that the measure could be enforced.† To "save the railroads" by the very laws which they themselves had so successfully defied, to turn those laws into instruments of succor for the law-breakers against whom they were designed, must be accounted an unique achievement; but it was precisely this that Mr. Olney accomplished, through the assisting medium of his official railway attorney at Chicago. In the face of such an achievement, we must surely grant to the Attorney-General a liberal share of that glory which President Cleveland so modestly refers to in his remark that "those who were most nearly related by executive responsibility to the troublous days whose story is told may well espe-

* When the Sherman Anti-Trust Law was under debate in Congress, an amendment was introduced specifying that the law was not to apply to labor unions. This amendment was rejected in view of Senator Sherman's explicit statement that the law was in no way directed against labor combinations. See Henry D. Lloyd's "Men the Workers," page 138.

† Perhaps a perfect example of the sort of monopolistic power which both the Interstate Commerce Act and the Sherman Anti-Trust Law were ostensibly designed to curb and control was the Pullman company, in behalf of whose notoriously oppressed employees the railway workers were waging their disinterested fight.

cially congratulate themselves on the part which fell to them in marking out the way and clearing the path, now unchangeably established, which shall hereafter guide our nation safely and surely in the exercise of the important functions which represent the people's trust." *

The dubious grounds upon which Federal troops were sent into Chicago are discussed at some length in a succeeding chapter, so that this phase of the general subject need not detain us here. It should only be said that at the time they were sent no emergency existed which required or justified their presence; and even the disorders which followed their appearance on the scene could have been handled without difficulty by State troops, if the railway managers and Federal authorities had followed the prescribed forms and asked for State aid—if, in other words, they had been less interested in breaking the strike than in preserving the peace and protecting public interests.† In his Cooper Union speech of October 17, 1896, Governor Altgeld said:

* Grover Cleveland's "The Government in the Chicago Strike of 1894."

† "We must remember that we have the explicit statement of Mayor Pingree, the Republican candidate for the governorship of Michigan,—a statement made with the claim of inside knowledge—that the commanding officers of the Federal forces sent to Chicago agreed that there was no need whatever of their being sent there, but that the state authorities were anxious and entirely able to do everything that needed to be done, and that, though silently and faithfully obeying orders like good soldiers, they resented the situation as tending to bring under just suspicion and dislike the military arm of the national government." From "Editor's Table" in the *New England Magazine* for October, 1896.

That General Miles himself was opposed to sending Federal troops into Chicago is vouched for by no less an authority than the then ranking officer of the United States Army, Lieut.-Gen. John M. Schofield, who on page 494 of his "Forty-Six Years in the Army" writes as follows: "The next day (July 3,) in the President's room at the Executive Mansion, in reply to my suggestion that his presence was needed with his command, General Miles said he was subject to orders, but that in his opinion the United States troops ought not to be employed in the city of

The trouble at Chicago was, by systematic effort and deliberate misrepresentation, so magnified as to make it seem that we were bordering on anarchy, and that consequently federal interference was necessary. The impression was sought to be made upon the country that we were bordering on civil war and the destruction of society, and that neither the local authorities nor the State authorities were willing to maintain law and order; while the real fact was that the federal government took steps to interfere in Chicago before there was any rioting or any serious trouble of any kind, and that the State authorities, who stood ready to act promptly, were intentionally ignored.

The disturbance at its worst did not equal in point of destructiveness the disturbances that occurred at Buffalo, N. Y., the year previous; was not nearly so bloody or destructive as a number of disturbances that have occurred in Pennsylvania, and was not as bloody and destructive as had occurred in Ohio while McKinley was Governor.

If it were necessary, much might be added by way of detail to the unsavory story with which this chapter is concerned. But the facts and circumstances already cited seem sufficient for our purpose, which has been to show, first, that the railway managers in Chicago deliberately conspired to prevent State intervention and to secure Federal intervention, as the most effective means of breaking the strike and destroying the American Railway Union; and, second, that the Federal government, instead of acting in its proper capacity as a neutral agency upon request of and in cooperation with the State government, deliberately and contemptuously ignored the State authorities, threw all its resources on the side of one of the combatants, and worked hand-in-glove with the illegal General Managers' Association to effect the latter's

Chicago at that time." Secretary of War Lamont also advised against this use of the Federal troops.

purposes. One need not go beyond the pages of President Cleveland's own account of the affair for convincing proof that his administration assumed throughout the rôle of remorseless strike-breaker, without making a single effort at impartial investigation of the existing trouble or a single attempt toward securing peaceful settlement of the points at issue. To President Cleveland this rôle seemed not only legitimate but in the highest degree praiseworthy, and a spirit of almost defiant pride breathes through his narrative of these events, written ten years later. To some others, including Governor Altgeld, it appeared in a wholly different light, as a rôle more befitting the government of a class autocracy than of a democratic republic.*

*With specific reference to one phase of that rôle, the sending of Federal troops to Chicago, Henry D. Lloyd wrote: "The Democratic party for a hundred years has been the pull-back against the centralization in American politics. . . . But in one hour here last July, it sacrificed the honorable devotion of a century to its great principle and surrendered both the rights of States and the rights of man to the centralized corporate despotism to which the presidency of the United States was then abdicated." See Caro Lloyd's "Life of Henry Demarest Lloyd," Volume I., pages 146–47.

CHAPTER XV

THE ALTGELD-CLEVELAND CONTROVERSY

It now remains to deal with the matter of Governor Altgeld's protest to President Cleveland against the sending of Federal troops to Chicago during the railway strike, and his demand for their withdrawal. Among those to whom the "anarchist Governor's" name was anathema, this action was naturally regarded as a piece of peculiarly brazen impudence, of almost monumental effrontery. In their view, nothing else could have so perfectly rounded out the tale of his official turpitude or so clearly revealed his anti-social sympathies and tendencies. Writing in 1904, two years after Governor Altgeld's death, President Cleveland formulates the popular indictment with somewhat plaintive moderation in the following paragraph:

> I must not fail to mention here as part of the history of this perplexing affair, a contribution made by the governor of Illinois to its annoyances. This official not only refused to regard the riotous disturbances within the borders of his State as a sufficient cause for the application to the Federal Government for its protection "against domestic violence" under the mandate of the Constitution, but he actually protested against the presence of Federal troops sent into the State upon the general Government's own initiative and for the purpose of defending itself in the exercise of its well-defined legitimate functions.*

* This and the other quotations from President Cleveland contained in the present chapter are taken from his account of "The Government in the Chicago Strike of 1894."

Without pausing to elaborate upon the skill with which this statement evades most of the essential points at issue and ignores most of the really basic facts, the reader must be permitted to examine for himself the annoying contribution made by the Governor of Illinois. That contribution is in the form of two long telegrams addressed to President Cleveland. The first dispatch, sent the day after Federal troops arrived in Chicago, reads as follows:

Executive Office, State of Illinois,
July 5, 1894.

Hon. Grover Cleveland, President of the United States,
Washington, D. C.

Sir:—I am advised that you have ordered Federal troops to go into service in the State of Illinois. Surely the facts have not been correctly presented to you in this case, or you would not have taken this step, for it is entirely unnecessary, and, as it seems to me, unjustifiable. Waiving all questions of courtesy, I will say that the State of Illinois is not only able to take care of itself, but it stands ready to furnish the Federal government any assistance it may need elsewhere. Our military force is ample, and consists of as good soldiers as can be found in the country. They have been ordered promptly whenever and wherever they were needed. We have stationed in Chicago alone three Regiments of Infantry, one Battery and one troop of Cavalry, and no better soldiers can be found. They have been ready every moment to go on duty, and have been and are now eager to go into service, but they have not been ordered out because nobody in Cook county, whether official or private citizen, asked to have their assistance, or even intimated in any way that their assistance was desired or necessary.

So far as I have been advised, the local officials have been able to handle the situation. But if any assistance were needed, the

State stood ready to furnish a hundred men for every one man required, and stood ready to do so at a moment's notice. Notwithstanding these facts the Federal Government has been applied to by men who had political and selfish motives for wanting to ignore the State Government. We have just gone through a coal strike, more extensive here than in any other State, because our soft-coal field is larger than that of any other State. We have now had ten days of the railroad strike, and we have promptly furnished military aid wherever the local officials needed it.

In two instances the United States marshal for the Southern District of Illinois applied for assistance to enable him to enforce the processes of the United States court, and troops were promptly furnished him, and he was assisted in every way he desired. The law has been thoroughly executed, and every man guilty of violating it during the strike has been brought to justice. If the marshal of the Northern District of Illinois or the authorities of Cook county needed military assistance they had but to ask for it in order to get it from the State.

At present some of our railroads are paralyzed, not by reason of obstruction, but because they cannot get men to operate their trains. For some reason they are anxious to keep this fact from the public, and for this purpose they are making an outcry about obstructions in order to divert attention. Now, I will cite to you two examples which illustrate the situation:

Some days ago I was advised that the business of one of our railroads was obstructed at two railroad centres, and that there was a condition bordering on anarchy there, and I was asked to furnish protection so as to enable the employees of the road to operate the trains. Troops were promptly ordered to both points. Then it transpired that the company had not sufficient men on its line to operate one train. All the old hands were orderly but refused to go to work. The company had large shops which worked a number of men who did not belong to the Railway Union and who could run an engine. They were ap-

pealed to to run the train but flatly refused. We were obliged to hunt up soldiers who could run an engine and operate a train. Again, two days ago, appeals which were almost frantic came from the officials of another road stating that at an important point on their line trains were forcibly obstructed, and that there was a reign of anarchy at that place, and they asked for protection so that they could move their trains. Troops were put on the ground in a few hours' time, when the officer in command telegraphed me that there was no trouble, and had been none at that point, but that the road seemed to have no men to run trains, and the sheriff telegraphed that he did not need troops, but would himself move every train if the company would only furnish an engineer. The result was that the troops were there twelve hours before a single train was moved, although there was no attempt at interference by anybody.

It is true that in several instances a road made efforts to work a few green men and a crowd standing around insulted them and tried to drive them away, and in a few other cases they cut off Pullman sleepers from trains. But all these troubles were local in character and could easily be handled by the State authorities. Illinois has more railroad men than any other State in the Union, but as a rule they are orderly and well-behaved. This is shown by the fact that so very little actual violence has been committed. Only a very small percentage of these men have been guilty of infractions of the law. The newspaper accounts have in many cases been pure fabrications, and in others wild exaggerations.

I have gone thus into details to show that it is not soldiers that the railroads need so much as it is men to operate trains, and that the conditions do not exist here which bring the cause within the Federal statute, a statute that was passed in 1881 [1861] and was in reality a war measure. The statute authorized the use of Federal troops in a State whenever it shall be impracticable to enforce the laws of the United States within such States by the ordinary Judicial proceedings. Such a condition does not exist in

Illinois. There have been a few local disturbances, but nothing that seriously interfered with the administration of justice, or that could not be easily controlled by the local or State authorities, for the Federal troops can do nothing that the State troops cannot do.

I repeat that you have been imposed upon in this matter; but even if by a forced construction it were held that the conditions here came within the letter of the statute, then I submit that local self-government is a fundamental principle of our Constitution. Each community shall govern itself so long as it can and is ready and able to enforce the law, and it is in harmony with this fundamental principle that the statute authorizing the President to send troops into States must be construed; especially is this so in matters relating to the exercise of the police power and the preservation of law and order.

To absolutely ignore a local government in matters of this kind, when the local government is ready to furnish assistance needed, and is amply able to enforce the law, not only insults the people of this State by imputing to them an inability to govern themselves, or an unwillingness to enforce the law, but is in violation of a basic principle of our institutions. The question of Federal supremacy is in no way involved. No one disputes it for a moment; but, under our Constitution, Federal supremacy and local self-government must go hand in hand, and to ignore the latter is to do violence to the Constitution.

As Governor of the State of Illinois, I protest against this, and ask the immediate withdrawal of the Federal troops from active duty in this State. Should the situation at any time get so serious that we cannot control it with the State forces, we will promptly ask for Federal assistance; but until such time, I protest, with all due deference, against this uncalled for reflection upon our people, and again ask the immediate withdrawal of these troops. I have the honor to be, yours respectfully,

JOHN P. ALTGELD, Governor of Illinois.

President Cleveland's comment on the statement of facts in this dispatch is that it "so far missed actual conditions as to appear irrelevant, and, in some parts, absolutely frivolous." He immediately telegraphed the following laconic reply:

Executive Mansion, Washington, D. C.,
July 5, 1894.

Hon. JOHN P. ALTGELD, Governor of Illinois, Springfield, Ill.

Sir:—Federal troops were sent to Chicago in strict accordance with the Constitution and laws of the United States, upon the demand of the postoffice department that obstruction of the mails should be removed, and upon the representations of the judicial officers of the United States that the process of the Federal courts could not be executed through the ordinary means, and upon competent proof that conspiracies existed against commerce between the States. To meet these conditions, which are clearly within the province of Federal authority, the presence of Federal troops in the city of Chicago was deemed not only proper, but necessary, and there has been no intention of thereby interfering with the plain duty of the local authorities to preserve the peace of the city.

GROVER CLEVELAND.

Oddly enough, this sacerdotal pronouncement failed in its effect of reducing the State executive to a becoming silence. Instead, he perversely continued his annoyances. "The governor," writes President Cleveland, "evidently unwilling to allow the matter at issue between us to rest without a renewal of argument and protest, at once addressed to me another long telegraphic communication, evidently intended to be more severely accusatory and insistent than its predecessor." This second dispatch is as follows:

Executive Office, State of Illinois,

July 6, 1894.

Hon. GROVER CLEVELAND, President of the United States,

Washington, D. C.

Sir:—Your answer to my protest involves some startling conclusions and ignores and evades the question at issue—that is, that the principle of local self-government is just as fundamental in our institutions as is that of Federal supremacy.

First—You calmly assume that the executive has the legal right to order Federal troops into any community of the United States, in the first instance, whenever there is the slightest disturbance, and that he can do this without any regard to the question as to whether that community is able and ready to enforce the law itself. Inasmuch as the executive is the sole judge of the question as to whether any disturbance exists in any part of the country, this assumption means that the executive can send Federal troops into any community in the United States at his pleasure, and keep them there as long as he chooses. If this is the law, then the principle of self-government either never did exist in this country or else has been destroyed, for no community can be said to possess local self-government if the executive can, at his pleasure, send military forces to patrol its streets under pretense of enforcing some law. The kind of local self-government that could exist under these circumstances can be found in any of the monarchies of Europe, and it is not in harmony with the spirit of our institutions.

Second—It is also a fundamental principle in our government that except in times of war the military shall be subordinate to the civil authority. In harmony with this provision, the State troops are ordered out to act under and with the civil authorities. The troops you have ordered to Chicago are not under the civil authorities, and are in no way responsible to them for their conduct. They are not even acting under the United States Marshal or any Federal officer of the State, but are acting directly under

military orders issued from military headquarters at Washington; and in so far as these troops act at all, it is military government.

Third—The statute authorizing Federal troops to be sent into States in certain cases contemplates that the State troops shall be taken first. This provision has been ignored and it is assumed that the executive is not bound by it. Federal interference with industrial disturbances in the various States is certainly a new departure, and it opens up so large a field that it will require a very little stretch of authority to absorb to itself all the details of local government.

Fourth—You say that troops were ordered into Illinois upon the demand of the postoffice department, and upon representations of the judicial officers of the United States that process of the courts could not be served, and upon proof that conspiracies existed. We will not discuss the facts, but look for a moment at the principle involved in your statement. All of these officers are appointed by the executive. Most of them can be removed by him at will. They are not only obliged to do his bidding, but they are in fact a part of the executive. If several of them can apply for troops, one alone can; so that under the law, as you assume it to be, an executive, through any one of his appointees, can apply to himself to have the military sent into any city or number of cities, and base his application on such representations as he sees fit to make. In fact, it will be immaterial whether he makes any showing or not, for the executive is the sole judge, and nobody else has any right to interfere or even inquire about it. Then the executive can pass on his own application, his will being the sole guide—he can hold the application to be sufficient, and order troops to as many places as he wishes and put them in command of anyone he chooses, and have them act, not under the civil officers, either Federal or State, but directly under military orders from Washington, and there is not in the Constitution or laws, whether written or unwritten, any limitation or restraint upon his power. His judgment—that is, his will—is the sole guide; and it being purely a matter of discretion, his decision can never be examined or questioned.

This assumption as to the power of the executive is certainly new, and I respectfully submit that it is not the law of the land. The jurists have told us that this is a government of law, and not a government by the caprice of an individual, and, further, instead of being autocratic, it is a government of limited power. Yet the autocrat of Russia could certainly not possess, or claim to possess, greater power than is possessed by the executive of the United States, if your assumption is correct.

Fifth—The executive has the command not only of the regular forces of all the United States, but of the military forces of all the States, and can order them to any place he sees fit; and as there are always more or less local disturbances over the country, it will be an easy matter under your construction of the law for an ambitious executive to order out the military forces of all of the States, and establish at once a military government. The only chance of failure in such a movement could come from rebellion, and with such a vast military power at command this could readily be crushed, for, as a rule, soldiers will obey orders.

As for the situation in Illinois, that is of no consequence now compared with the far-reaching principle involved. True, according to my advices, Federal troops have now been on duty for over two days, and although the men were brave and the officers valiant and able, yet their very presence proved to be an irritant because it aroused the indignation of a large class of people who, while upholding law and order, had been taught to believe in local self-government, and therefore resented what they regarded as unwarranted interference.

Inasmuch as the Federal troops can do nothing but what the State troops can do there, and believing that the State is amply able to take care of the situation and to enforce the law, and believing that the ordering out of the Federal troops was unwarranted, I again ask their withdrawal.

JOHN P. ALTGELD.

What he calls the "rather dreary discussion" of general principles contained in the above communication

seems to have been particularly objectionable to the President. "I confess," he remarks, "that my patience was somewhat strained when I quickly sent the following dispatch in reply to this communication":

Executive Mansion, Washington, D. C.,
July 6, 1894.

While I am still persuaded that I have neither transcended my authority nor duty in the emergency that confronts us, it seems to me that in this hour of danger and public distress, discussion may well give way to active efforts on the part of all in authority to restore obedience to law and to protect life and property.

GROVER CLEVELAND.

Hon. JOHN P. ALTGELD,
Governor of Illinois.

No further communications passed between the Governor and the President. Altgeld had registered his protest, and had endeavored to state the grounds upon which it was based. Cleveland had in effect confined himself to a dogmatic assertion of authority. For the moment, at least, there was nothing more to be said. Thus, according to the President's typical final comment, "closed a discussion which in its net results demonstrated how far one's disposition and inclination will lead him astray in the field of argument."

CHAPTER XVI

ISSUES AND REACTIONS OF THE CONTROVERSY

LITTLE can be gained, at this late day, by entering into a detailed discussion of the abstract issues involved in the controversy between Governor Altgeld and President Cleveland. But at least the main bearings of that controversy should be clearly understood. And in particular it is important to note that whatever shadow of justification exists for President Cleveland's action in sending Federal troops to Chicago is derived from a statutory source, and not at all from the Constitution. Unless the vague general clause which declares that the President "shall take care that the laws be faithfully executed" is capable of an interpretation which directly nullifies several of the most vital specific clauses in this document, the Constitution itself contains nothing to warrant his action. The only concrete reference to Federal intervention in State disorders is embodied in Section 4 of Article IV., which reads: "The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence." There is no equivocation here; the latter clause is evidently intended to mean precisely what it says, and it gives the Federal government no authority to act in suppressing domestic violence except

"on application of the legislature, or of the executive (when the legislature cannot be convened)." If support for this perfectly obvious view is needed, it may be found in the following statement of no less a Constitutional authority than Hon. Thomas M. Cooley: "It was only at unlawful violence that the provision in the Constitution was directed, . . . Moreover, by the terms of the Federal Constitution, there must be a demand for assistance from the State legislature or executive, before it could be rendered." *

In his paper on "The Government in the Chicago Strike of 1894," President Cleveland cites the above-mentioned section of the Constitution as though it had a definite bearing upon his action, and then adds: "There was plenty of domestic violence in the city of Chicago and in the State of Illinois during the early days of July, 1894; but no application was made to the Federal Government for assistance. It was probably a very fortunate circumstance that the presence of the United States soldiers in Chicago at that time did not depend upon the request or desire of Governor Altgeld." A fortunate circumstance indeed—for the illicit cabal of railway officials in Chicago! But what needs to be emphasized is, that in the absence of any application from the legislature or Governor of Illinois, the President had no warrant under the Constitution for sending Federal troops to Chicago. However, after making the statement above quoted, he proceeds to somewhat less slippery ground by citing Sections 5298 and 5299 of the Revised Statutes of the United States, which read as follows:

* From article on "The Guarantee of Order and Republican Government in the States," in the *International Review* for January, 1875.

Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all of the States, and to employ such parts of the land or naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy, opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations.

The first of these statutes, relating to "insurrection against the government of the United States," was en-

acted July 29, 1861, purely as a war measure. The second, relating to "power to suppress insurrection in violation of civil rights," was enacted April 20, 1871, as part of "An act to enforce the provisions of the Fourteenth Amendment to the Constitution of the United States, and for other purposes"; this act was directed at the Ku Klux Klan, and was nationally known as "the Ku Klux Klan act." As to the propriety of acting in 1894 under statutes passed in 1861 and 1871 to meet certain extraordinary emergencies existing during those years, the most fitting commentary is provided by the following extract from Hon. Thomas M. Cooley's article referred to:

> Whatever discontented parties may do or say when the workings of State government displease them, there is a manifest and imperative duty before every statesman and every lawyer, to resist and if possible to defeat whatever shall have a tendency to make the shifts and devices of a revolutionary period the precedents for similar action after that period has passed away. If action, which at the time was deemed wholly exceptional, and was only defended on the exceptional circumstances, can be received as evidence of settled law in the government, and if the people shall be found prepared to accept it as such, then indeed has a revolution of public opinion taken place which sooner or later must work an entire and radical revolution in the government itself.

But however dubious their validity in this connection, it remains true that whatever direct legal warrant may be found for President Cleveland's action in sending Federal troops to Chicago resides in these two statutes, and in nothing else. Governor Altgeld recognized this fact, as his first dispatch to the President shows, although he said little about the validity of invoking these statutes for such a purpose. His protest was not based upon

Constitutional grounds, or (as so many of his critics believed or professed to believe) upon any strict interpretation of the old doctrine of State rights. He contended, in the first instance, that conditions in Chicago were not such as to justify Federal action under the statutes above cited; and, in the second instance, against an arbitrary interference on the part of the Federal executive with the traditional right of local self-government. "The old doctrine of State rights is in no way involved," said Altgeld; and in his Cooper Union speech of October 17, 1896, he summarized his position as follows:

> Nobody for a moment questions the supremacy of the Union. But it does involve the question whether, in connection with Federal supremacy, there does not go hand in hand the principle of local self-government. These two principles, i. e., Federal union and local self-government, have for a century been regarded as the foundation upon which the glory of our whole governmental fabric rests. One is just as sacred, just as inviolable, just as important as the other. Without Federal union there must follow anarchy, and without local self-government there must follow despotism. . . . The question is, whether the local and State authorities should not first be called upon to enforce the law and maintain order, using for that purpose such local agencies and forces as the law has created, or whether the President can ignore all these and bring a foreign force and station it in any community at pleasure.

This was by no means the first time that such a question had been raised in the United States. One of Governor Altgeld's predecessors in office, John M. Palmer, declared in 1871, when President Grant sent Federal troops to police Chicago after the great fire of that year, that "if the powers claimed and acted upon by the President exist in him, the State of Illinois is but a depend-

ency of the Government at Washington, and the lives and liberties of the people are subject to the will of the President." Governor Palmer even went so far as to demand the criminal indictment of the Federal commander in Chicago, General Phil Sheridan, for the killing of a citizen by one of the soldiers under Sheridan's command. But perhaps the most forthright and uncompromising champion of the position later assumed by Altgeld with respect to State immunity from Federal invasion was no other than President Cleveland's own Attorney-General, Richard Olney. In the Louisiana gubernatorial contest of 1872 there were two rival fusion tickets in the field—one, headed by McEnery and supported mainly by Democrats; the other, headed by Kellogg and supported mainly by "radical" or Grant Republicans. McEnery received a considerable majority of the votes cast, but with President Grant's cooperation and approval Kellogg was able to install himself in office by force. Thereupon McEnery set up a rival *de jure* government. In September, 1874, after street fighting in which twenty-seven men were killed and one hundred and five wounded, the McEnery government succeeded in ousting the Kellogg or *de facto* government from office. Upon learning of this *coup d'état,* President Grant immediately rushed Federal troops and war vessels to New Orleans, and with their aid the "carpet-bag" government of Kellogg was reestablished in power. At the next session of the State legislature, early in 1875, all openly anti-Kellogg members were ejected from the State House by Federal soldiers.* This disgraceful episode created

*These statements are summarized from "Louisiana: A Record of Expansion," by Albert Phelps ("American Commonwealths" series), pages 372–384.

great indignation among northern (to say nothing of southern) Democrats, and meetings of protest were held in several large cities. At such a meeting, assembled in Faneuil Hall, Boston, on January 15, 1875, one of the speakers was Richard Olney, at that time a member of the Massachusetts legislature. In the course of his remarks, as reported in the *Boston Post* of January 16, 1875, Mr. Olney said:

> The Administration seemed totally bent on making a claim of power perfectly unprecedented and, if allowed, utterly subversive of our present system of government. Under the Constitution and laws of the United States, the right of the General Government to suppress domestic violence in a State is, and always has been, most carefully guarded and restricted. The prerequisites to any such action have been all defined with entire precision. There must be an insurrection in a State against its Government; and, what is most important, not only must there be an insurrection to be suppressed, but the State itself, through its Legislature, or through the Governor if the Legislature cannot be convened, must ask the President to come and do it. Without that invitation the President and General Government are powerless to act. [Applause.] Be the confusion, anarchy, disorder in a State what they may, the Constitution does not permit the General Government to interfere and restore order, and put down insurrection, except upon the invitation of the State itself. So jealous, and rightfully jealous, were the fathers of the power of the General Government; so tenacious, and rightfully tenacious, were they of the rights of the States, and of the principle of local self-government! . . . Apparently, it [the Administration] meant to assert that the President might enter a State with troops, to suppress disorder and violence at his own discretion, upon his own view of the exigency, and without waiting for the consent or request of the State itself. No more glaring attempt at usurpation can be imagined. If successful it would revolutionize our whole govern-

mental system; if successful it would clearly annihilate the right of local self-government by a State, which could be exercised thereafter only by the sufferance and kind permission of the Federal Government. This view of the exigency it was which roused the country from one end to the other, and which led to the call for a meeting of Massachusetts men in Faneuil Hall. . . . The very life of our free institutions was in peril, and it therefore seemed not merely our right, but our imperative duty, to come here and enter our protests—else the future historian of the Republic might have to make the shameful record, that, when in the year of grace 1875 a deadly blow was aimed at American Constitutional liberty, the once liberty-loving Massachusetts gave no sound of alarm and raised no arm to save. [Applause.]

If President Grant's action in 1874 was a "glaring attempt at usurpation," President Cleveland's action in 1894 was far more so. There was virtual civil war in Louisiana, and many persons had been killed or wounded. Grant sent Federal troops there at the request of, and in cooperation with, the *de facto* Governor, so at least some semblance of State sanction could be claimed for their presence. In Chicago, on the other hand, there was no armed conflict, no citizen had been killed or injured, no serious disorder existed before Federal intervention, and the State had made no sort of application for Federal aid.

This time, however, the country was by no means roused "from one end to the other," and one heard of no public mass meetings at which prominent citizens, convinced that "the very life of our free institutions was in peril," declared it not merely their right but their imperative duty to protest against the President's action. The "future historian of the Republic" has indeed "to make the shameful record, that, when in the year of

grace" 1894 "a deadly blow was aimed at American Constitutional liberty," not only the "once liberty-loving Massachusetts" but every other American commonwealth "gave no sound of alarm and raised no arm to save." Instead, prominent citizens and prominent newspapers the country over were vociferous in their praise of President Cleveland's "rugged courage." Congress passed resolutions endorsing his course, and by unanimous vote the Supreme Court affirmed its legality. Judge Cooley, now a Federal place-holder under appointment by Cleveland, swallowed at one gulp the carefully-formulated doctrine set forth in his treatise on "The Guarantee of Order and Republican Government in the States," * and pronounced President Cleveland's course a "great and valuable lesson in Constitutional construction." When in due time that course had received President Taft's benediction, the process of consecration was complete and irrevocable.

The explanation of this general *Te Deum* is not very far to seek. In Louisiana, the Federal administration had intervened in behalf of a political faction with which it was in sympathy; in Chicago it intervened in behalf of an economic faction with which it was in sympathy. Grant's action, while it pleased the mass of his own party, naturally enraged the Democrats, and these latter (supported, it is true, by a few distinguished Republicans who placed principle above party) knew how to voice their wrath in high places. Cleveland's action aroused no party animosities, and was precisely in line with the economic interests and sympathies of almost everyone who had any means of making his opinion widely audible.

* See article, quoted from above, in the *International Review* for January, 1875.

The President, whether that was his direct intention or not, had ruthlessly broken a great strike which had seriously inconvenienced the public and seriously threatened corporate autocracy. While trade unionists, populists, and other questionable elements might gnash their teeth, there was no disposition on the part of the majority to temper its gratitude by a carping attitude toward the means employed. Moreover, in placing Governor Altgeld before the country in a false light, the President ingratiated himself with the press and the "best people" only a little less thoroughly than he had by "saving the railroads." This foreign-born ingrate who by pardoning the anarchists had so flouted American decencies, this demagogue who was "more intent on gaining the votes of mobs than on repressing their violence," * this consistent and persistent enemy of society, could now be assailed with fresh vigor; and the welcome opportunity was not wasted. If Cleveland was the new Saint George who must be exalted to the heavens, Altgeld was the old dragon who must be debased to the slime whence he arose. A typical (or perhaps, on the score of restraint, somewhat less than typical) journalistic comment on the Altgeld-Cleveland correspondence is the following urbane utterance of the New York *Nation:*

> President Cleveland's method of dealing with Governor Altgeld is a model one. He wastes no time in arguing with him, or in defending himself against his attacks, but in a few terse sentences sets him before the country in his true light as the friend and champion of disorder. Altgeld is probably as unconscious of his own bad manners as he is of the bad odor of his principles; but boorish, impudent, and ignorant as he is, he can scarcely fail to wince under the treatment which he receives from the President. . . . Altgeld's

* Editorial in *Harper's Weekly* for July 21, 1894.

tirades are serving the useful purpose of showing to the people, not only of Illinois, but of all other States, the folly of putting the administration of public affairs into the hands of professional blatherskites, who are either too ignorant or too unprincipled to conduct themselves in accordance with the spirit of American institutions.*

It is neither necessary nor just to hold President Cleveland responsible for the scurrilities of his supporters; though it might well be asserted that he gave them their cue, if any were needed, in the studied contempt of his attitude toward Governor Altgeld from first to last—a contempt which he would probably never have dreamt of showing toward any other high official in the United States. Not less to be regretted, however, is the bitterness with which Altgeld, during his remaining life, retaliated upon Cleveland whenever occasion offered. The issue between them was in no sense a personal one, although personal characteristics on both sides had much to do with it. Altgeld's temperament and political principles led him to play the part of exponent and champion of one of the fundamental traditions of American government—a tradition which innumerable democratic spokesmen before him, including Cleveland's own Attorney-General, had stoutly espoused. Cleveland's temperament and economic sympathies led him to ignore that tradition, to throw overboard all the official amenities commonly observed in the relations between a central government and its federated units, and to take bold and arbitrary action in a situation regarding the essential facts of which (to adopt the most charitable explanation) he had been completely misled. That this action has been generally applauded and legally approved is by no

* From an editorial, issue of July 12, 1894.

means its final justification. Nothing could be truer or more pertinent in this connection than Edward Livingston's words: "The gloss of zeal for the public is always spread over acts of oppression, and the people are sometimes made to consider that as a brilliant exertion of energy in their favor, which, when viewed in its true light, would be found a fatal blow to their rights. In no government is this effect so easily produced as in a free republic; . . . and a popular leader is allowed in many instances impunity, and sometimes rewarded with applause, for acts which would make a tyrant tremble on his throne." *

* See "Life of Edward Livingston," by Charles Havens Hunt, page 146.

CHAPTER XVII

PRISON AND JUDICIAL REFORMS

In his fabulous character as a "champion of anarchy" and a "defender of lawlessness," Governor Altgeld achieved a national reputation. In his actual and essential character as a mild evolutionary reformer, he is known to only a few. While his pardon of the "anarchists" and his position in the Chicago railway strike are matters of no little inherent significance, they require such extended treatment as has been given them in the preceding chapters only because of the intense and widespread reaction which they aroused, and because of the effects of that reaction upon Altgeld's name and career. It is the lazy habit of popular opinion to judge public men not by their continuous efforts and cumulative accomplishment but by their association with certain isolated incidents which for one reason or another happen to be sensationally exploited. In the record as a whole of Altgeld's administration as Governor of Illinois, his devoted efforts to keep the State from being a laggard in the march of social progress must chiefly impress any careful and fair-minded observer. No Governor before or since his time has done more, if as much, to improve and extend the public facilities of Illinois in its penal, charitable, and educational institutions; none has been more tireless in initiating legislative measures of social reform and amelioration; none has served the humbler masses of the people more zealously and incorruptibly.

For many years before his election in 1892, Altgeld had been studying social, economic, and political conditions in America. In his writings and speeches on public questions he had shown a freedom from conventional bias, a sympathy with the victims of injustice; a fervor for reform, which had already marked him out as a potentially dangerous antagonist of the *status quo* and had won for him the honorary though not wholly merited appellation of "radical"—one who deals with the roots of things. There were very few in public life at that time who made the smallest pretense of dealing with the roots of things; it was so much easier and pleasanter to perch among the upper branches of the social tree, and enjoy the sunshine and the scenery and the other good things which are available in that position. Altgeld was of those who preferred to explore the darker regions below; and perhaps with reference to his own time and place his views were radical enough, though they have since become the merest bread-and-butter stuff of moderate liberalism. Certainly scarcely one of the legislative measures which he sponsored would today be considered radical by even the most thorough-going conservative. But the point to be emphasized is that Altgeld, unlike almost any other prominent politician of his time, came into high public office with certain definitely formulated and deeply felt convictions regarding many of society's maladjustments. He had been elected Governor not merely as a Democrat but as the spokesman for an acute, though in the main inarticulate, discontent with the existing order of things. Thus the dictates of his own conscience as well as the expectations of his followers made it necessary that the chief effort of his administration should be in the direction of social and economic amelioration.

The results which he was able to achieve are specifically set forth in this and several succeeding chapters. From an absolute rather than a relative point of view, those results are perhaps not very imposing, either in character or in extent. But it should not be forgotten that Altgeld was in many respects a pioneer. So many axes have been at work in the forest during the past three decades that we too readily take the clearing for granted, with little or no thought for those who marked it out. We forget the fierce resistance of the wilderness inhabitants whose domain has been encroached upon, the dangers and difficulties and deprivations encountered at every forward step. Considering the general conditions of his time as we have sketched them in an earlier chapter, the forces arrayed against him, and the limitations which hemmed him in, the wonder is not that Altgeld accomplished so little of all that he considered essential or desirable, but rather that he was able to accomplish anything at all. Then, too, as in his later and larger reform efforts, he was interested not so much in achieving immediate results as in opening a path for those who should come after him. A letter which he wrote to Judge Lambert Tree toward the close of his second year as Governor contains the following:

> Don Quixote you remember attacked windmills. I have attacked a good many things and will probably fare as he did. Shooting all over the woods does not bring down any game, but it stirs it up and gives others a chance to bring it down. The conditions in our country are such that there is no possibility of bringing down any game very soon, so I have deliberately concluded to stir some of it up and trust to other and better marksmen to bag it in the future.

In any account of the legislative and administrative reforms initiated or striven for by Altgeld during his régime as Governor of Illinois, first place belongs to the subject of prison reform. No other of the many humanitarian causes which enlisted his support lay closer to Altgeld's heart than this; no other had more largely occupied his thought and pen up to the time when he became Governor. His little book on "Our Penal Machinery and Its Victims," published in 1884, may well be termed a pioneer work in its field. When that book appeared the punitive far more than the reformatory purpose of imprisonment was still emphasized even in the more enlightened sections of this country. At that time scarcely a beginning had been made toward putting into effect certain improved methods, now long familiar, of dealing with social delinquents. Little or nothing was then heard of probation, the parole system, the indeterminate sentence, juvenile courts, etc.; and there was no general recognition, or at least no general application, of the principle that an ounce of reformation is incomparably more effective than a pound of punishment. The whole subject of modern penology yet remained for the most part uninvestigated and unformulated.

A few extracts from Altgeld's book will illustrate the enlightened humanitarianism of its author. Familiar as he was with poverty in his own early life, he recognized the immense disadvantage under which the poor must labor in their efforts to avoid conflict with a legal code that too often seems to them, as it did to the ancients, a great spider's web elaborately designed to imprison little insects, but which is readily torn through by big ones. He studied the psychology of those who infringe this code, and endeavored to put himself in their

place. Hence the intelligent sympathy that speaks in such passages as the following from his thoughtful and well-informed pages:

The truth is, that the great multitudes annually arrested for the first time are of the poor, unfortunate, the young and neglected; of those that are weak and, to a great extent, are the victims of unfavorable environments. In short, our penal machinery seems to recruit its victims from among those that are fighting an unequal fight in the struggle for existence.

The subject of crime-producing conditions has received but little attention in the past, and is only now beginning to be discussed. It has always been assumed, in our treatment of offenders, that all had the strength, regardless of prior training and surroundings, to go out into the world and do absolutely right if they wished, and that if anyone did wrong it was because he chose to depart from good and do evil. Only recently have we begun to recognize the fact that every man is to a great extent what his heredity and his early environment have made him, and that the law of cause and effect applies here as well as in nature.

Nor have we thus far sufficiently considered the fact that a large proportion of the human family cannot say "no" at all times when they should. How common it is for people of education and character to do things which they know at the time to be injurious! Yet an influence which somehow they cannot resist impels them, and they act, as it were, under protest—often doing things which at the very time fill them with dread.

This is true of many that have had excellent training, while among the less fortunate there are multitudes, with fair intelligence and industry, who want to do right, but who suddenly find themselves within the power of an evil influence, exerted by pretended friends, which they dread—which drags them down, often leads them, against their will, into crime, and from which, unaided, they cannot free themselves. They are morally weak, not naturally bad. They are tools, not masters—mere instruments, not

principals, and, so far as it concerns moral responsibility, might as well be inanimate and unconscious. Yet we treat them as if they were masters.

The writer points out the harmfulness of a police system that prides itself on the number of arrests made and rates the efficiency of its officials by this standard. Reference is made to the report of the Chicago chief of police for the year 1882, showing that of 32,800 arrested persons 10,743 were discharged as innocent upon brief examination, to say nothing of those bound over to the grand jury and later discharged.

So that during the one year there were in that one city upward of 10,000 young persons, who, without having committed any crime, were yet condemned to undergo a regular criminal experience. Think of this a moment. And if so many in one city, what a multitude must there be throughout the land! Mind, these were not even offenders. But what was the treatment which they received? Why, precisely the same as if they had been criminals. They were arrested, some of them clubbed, some of them handcuffed, marched through the streets in charge of officers, treated gruffly, jostled around. At the police station the name and a complete description of the person of each were written on the prison records, there to remain. Some of the unhappy creatures were bailed out, while the remainder were shoved into cells and forced to spend a night, and sometimes a week there, forced to stand around with criminals, before they were discharged. Now, what effect will this treatment have on them? Will not everyone of them feel the indignity to which he or she was subjected while life lasts? Will they all not abhor the men who perpetrated what is felt to be an outrage? Will they not look on this whole machinery as their enemy and take a secret delight in seeing it thwarted? Will they not almost unconsciously sympathize with those that defy this whole system, and are they not thus suddenly

brought a whole length nearer crime than they were before? And will not those that were already weak, and were having a hard struggle for existence, be further weakened, and therefore more liable soon to become actual offenders than they otherwise would have been? Remember, brutal treatment brutalizes, and thus prepares for crime.

Other abuses are in like manner exposed and censured, and then four definite reform measures are urged: abolishment of the fee system in paying police magistrates, constables, etc.; greater care to avoid the arrest and detention of innocent persons or those whose offenses are of the mildest sort; discrimination in the treatment and trial of arrested persons; and immediate trial of grave offenders, without any grand jury preliminaries, and with imposition (in most cases) of the indeterminate sentence in case of conviction. The parole system goes hand in hand with the indeterminate sentence, and both were included by Governor Altgeld among the subjects for legislative enactment urged by him during his term of office. In his inaugural address he censured the system of fixed sentences and the rigid uniformity observed in treating convicts. He said:

In this connection I wish to call attention to the fact that, in the matter of penal legislation, our State is not abreast of the times. We still adhere to the old system of fixed sentences, under which the greatest inequality results; the vicious and hardened are frequently given short terms by a jury, while the comparatively innocent are given long terms by another jury. At best, first offenders and old criminals go in and out of prison together, while as a rule all classes come out without such training as will enable the individual to make a living, and utterly unable to find employment. Naturally these drift into a career of crime, and either

prey upon the community or are returned to prison. Instead of this method, some of the States have adopted a system of indeterminate sentences, under which a prisoner is sentenced generally to the penitentiary, the law fixing the minimum and maximum time of imprisonment, and the actual length of confinement between these two points depends upon the general characteristics and personal conduct of the prisoner. Under this system the vicious and hardened can be restrained, while those who are comparatively innocent are released on parole, that is to say, on good behavior, but only after having been secured employment by the prison officials that will enable them to make an honest living. Under such a system, the number of convicts in our penitentiaries would be greatly reduced, and all problems involved in the treatment of criminals and the conduct of our penitentiaries more easily solved.

As a result of Altgeld's determined efforts in this direction, the State legislature of 1895 passed a law adopting the parole system and indeterminate sentence plan in Illinois. Under this statute no prisoner can be released until occupation has been found for him in some place where he will not come into association with other convicts. An employer must make a written contract for a man's services with the prison authorities, and must agree, among other things, to see that a monthly report of the man's conduct is sent to the warden of the penitentiary. The responsibility of the employer himself must also be certified by some officer of the court or other person of good standing. If a man violates his parole he will be sent back to prison, and will then serve the maximum term provided by law for the crime which he has committed. The term of probation is six months, after which he may be discharged for good. This law went into effect in August, 1896.

The knotty problem of prison labor had been studied

and discussed by Altgeld in his book already referred to, and in various public addresses of later date he had touched upon this and other penological matters, always with understanding and well-considered suggestion in the way of amendment of bad laws and the making of new and better ones. The system of leasing the labor of convicts, within prison walls, to manufacturers bidding for such labor prevailed in Illinois up to 1886, when it was abolished by constitutional amendment; but existing contracts remained unaffected, and some of them ran for eight years or more after the new order of things went into effect. And even after the expiration of the old leases and the substitution of the "piece-price system," serious abuse was possible through the connivance of prison authorities. By tricky devices in the drawing of contracts the pay per piece was fixed so low that the contractor enjoyed the same advantage over the employer of "free" labor as before, and the prison worker was as far from earning any little surplus for himself or his dependents as he had been under the old system. The prison commissioners and officers appointed by Altgeld during the first months of his administration were instructed that they must comply with the State constitution and abolish the contract system entirely, that the prisoners must be worked on State account, and that enough new industries must be introduced into the prisons so that the number of convicts engaged in any one industry might be brought down as nearly as possible to not more than one hundred, thus reducing competition with outside "free" labor to a minimum. It was also stipulated that the prisoners should pursue such occupations as would best promote their health, discipline, and reformation. This policy seems to have been carried

out with marked success during Altgeld's term of office.

For all his friendliness toward organized labor, and his efforts to free it from the unjust competition of prison-made goods, Altgeld incurred the rancorous hatred of many trade-unionists by his veto, in 1895, of a bill forbidding the manufacture of cigars in the prisons of the State. The veto message was an unanswerable argument for the continuance of cigar manufacture in Illinois prisons, under the law requiring the State to provide employment for convicts. The cessation of this industry would simply mean, as the message pointed out, the imposing of an additional burden upon other trades that had an equal right to protest against the competition of prison labor. As a matter of fact, the cigar makers' union already had less to complain of than any other, as far as prison labor was concerned; for the hands employed at cigar-making within prison walls were considerably fewer than those engaged in any other industry. But the bill was passed over the veto.

Besides other and perhaps more important measures for securing intelligent and humane treatment for convicts, mention must be made of Governor Altgeld's forward step in abolishing the time-honored striped costume for prisoners. In commenting on this reform in his biennial message of January 6, 1897, he wrote:

> The law never provided that prisoners should wear stripes; the punishment which the law provided for its infraction being imprisonment and hard labor. Putting stripes upon prisoners originated in those conditions and in those times when convicts were turned over to the care of men who for all practical purposes were brutes, and who succeeded in reducing everything to the level of the brute.
>
> The effect of putting stripes on convicts has been found to be

this: that it does not affect those already hardened except to make them a little more desperate, nor does it affect those who are by nature dull and brutish, except to lower them a little, but it tends to crush whatever spark of self-respect and manhood there may be left in a higher grade of prisoners, and in that way tends to still further unfit them for an honorable struggle in life, and an irreparable injury is thus done to society as well as to the convict, which was not contemplated by law.

Acting upon these principles, the commissioners of the prison at Joliet, on the first of July last, clothed the prisoners in plain gray suits, and since that time have been using the striped suits only as a means of punishment for an infraction of the prison discipline. The effect of this change upon the spirit, the moral tone and character of the convicts has been so gratifying that I have recommended its adoption in the prison at Chester also.

Against brutality on the part of prison officials Altgeld protested eloquently, calling attention to the invariable ill effects of such conduct and its unwisdom even from a disciplinary point of view, to say nothing of its inhumanity; and he did all that was possible, while he was Governor, to raise the standard of prison management in this respect, as in many others.

Closely allied to prison reform was the equally needed improvement in criminal court procedure that Governor Altgeld advocated. Indeed, reform of a more comprehensive nature and embracing law courts in general was striven for by him. Reference has already been made to his disapproval of the tedious grand jury method of dealing with suspected persons under arrest. Other abuses in grand jury procedure were not lacking to arouse his indignation. For instance, in one of his official proclamations he had this to say:

At present a few individuals can select and thus practically pack a grand jury in Chicago, so that a few men have it in their power to shield some offenders, and also to use a grand jury to carry out partisan schemes. Consequently the grand juries of Cook County have been used repeatedly in recent years to influence public sentiment with reference to a prospective election by indicting upwards of one hundred men on sensational charges, and when the elections were over and the public had lost interest in the matter the cases were all thrown out of court because nothing could be proven. This method of prostituting the machinery of the court should be stopped, and the law should be so changed that it will not be in the power of a few men to name or control a grand jury.

In other related particulars also he urged more or less radical changes. The joint legislative resolution of 1893, calling for a constitutional convention, refers to some of the defects of the State judicial system that cried aloud for remedial action. Altgeld was the moving spirit in this resolution. It says, among other things: "Our present judicial system is complicated, cumbersome, and subject to gross abuse in unnecessary delay in our courts, thus unduly shielding the guilty from deserved punishment and working injustice to the innocent, especially discriminating against the poor man." This resolution was passed by the Senate, 37 to 1, but failed to secure the necessary two-thirds vote of all elected members in the House.

Of kindred nature is the following from Altgeld's proclamation of June 17, 1895, convening the State legislature in extraordinary session:

A class of abuses has grown up in the justice and police courts of larger cities which have for years been called infamous. . . . Chicago has over one and a half million of inhabitants, is one of

the great commercial centres of the world, and has one of the most expensive judicial systems to be found; and yet its citizens have practically to submit to a denial of justice because it takes almost half a generation to get through with a lawsuit, because of a bad system.

To remedy these conditions the Governor urged the enactment of such legislation as might be deemed necessary (1) "to correct and put an end to the abuses and scandalous conditions prevailing in and about many of the police and justice courts of the State, particularly in large cities"; (2) "to establish such a system of practice and procedure in our courts of record as will prevent the unnecessary accumulation of business and as will ensure a speedy and final determination of all proceedings at law or in equity, and proceedings based on statute as well as criminal and quasi-criminal proceedings"; and (3) "to ensure fair and unbiased grand juries." This programme of judicial reform, it should be noted, was wholly ignored by the legislature when it met in special session.

Besides several new buildings added to the State's existing penal and corrective institutions during Governor Altgeld's administration, a State reformatory for girls was constructed on a beautiful site on the banks of Fox River, near Geneva, in Kane County, and opened in 1896.

CHAPTER XVIII

INDUSTRIAL REFORMS

At the time of Altgeld's election to the governorship of Illinois, in 1892, that State was perhaps even more deplorably backward than most of its fellow-commonwealths in the enactment and enforcement of laws regulating conditions of labor and protecting laborers from the host of flagrant abuses imposed or tolerated by employers. Illinois labor legislation had its beginnings in certain tentative efforts to ameliorate conditions of employment in the two great soft-coal fields of the State. These efforts, dating from 1872, resulted in various laws relating to the ventilation and inspection of mines as a means of preventing or minimizing accidents, the screening and weighing of coal as a basis of wage payments, and other similar matters. In despite of hostile mine-owners, indifferent legislators, and courts obsessed by the "freedom of contract" logomania, the mine-workers of Illinois (aided and abetted by a few humane "intellectuals") were yet able to force through a number of statutes which by 1892 constituted a fairly civilized code for their particular industry.

Another modest forward step was taken in the creation of a State bureau of labor statistics, in 1879. This bureau was confined in its activities to the rather innocuous task of preparing and publishing biennial reports of a statistical nature "relating to all departments of labor

in the State." Some of the reports, however, notably those issued in 1894 and 1896 by Mr. George A. Schilling (a prominent Chicago labor leader whom Governor Altgeld had appointed secretary of the bureau), achieved wide circulation and accomplished no little good.

Of what is commonly known as factory legislation there was virtually no trace on the statute books of Illinois until 1891, in which year the legislature enacted a law forbidding the employment of children under thirteen years of age in "stores, shops, factories, and manufacturing establishments." In default of any particular department or official charged with the duty of enforcing it, this law was never really operative.

With Altgeld's election in 1892, the prospect of securing labor legislation that would bring Illinois more nearly in line with the status of other civilized communities in this respect assumed a more favorable aspect than ever before. The new Governor was everywhere known as a devoted friend of the working classes, one who understood and sympathized with their hard lot as did few other public men of that day. Though he had worked his own way upward from the humblest beginnings to a position of affluence, he had never affronted his less fortunate fellow-toilers by any traces of that overweening "do-as-I-did" attitude common to so many "self-made" men. In his view, the great mass of workers are "in a condition where they are absolutely helpless, where they are absolutely in the power of a stronger class, where they are the slaves of adverse circumstances, and where individual action can accomplish absolutely nothing." *

* From address on "The Eight-Hour Movement," February 22, 1890.

Yet these same workers were civilization's most indispensable asset.

It is labor that lays the foundations of empires, that clears up continents, that builds cities, that operates railroads, gathers news, prints papers, cultivates the earth, feeds the nations, and elevates man, and it is the men who toil with their hands that are entitled to special consideration, although they get little credit for their work. The men who gather at banquets dressed in fine linen and soft raiment may imagine that they are the State, but it is not so. Many of them are simply parasites, eating bread that others toil for; all could be wiped out and the nation would go right on; they would scarcely be missed.*

While he believed that efficient organization on its own part was labor's chief instrument for protection and advancement,† society was not thereby relieved from the necessity of legislating in behalf of the weak and the down-trodden.

While legislation not backed by public sentiment may be a dead letter, public sentiment produces definite and lasting results only through legislation. Moral suasion and the benign influence of religion are beautiful, but unfortunately in all ages there have been men who went straight from the sanctuary into the world and plundered and trampled on the weak, and, what is more, they lost

* From address to the graduating class of the University of Illinois, June 7, 1893.

† "Selfishness rules the earth, and the only difference in its workings in the different conditions of society is simply one of refinement of method. Its nature is in all cases the same, and it generally produces the same result, and that is, the swallowing of the substance of the weak by the strong. Consequently we find that in all ages only those people have had a measure of justice who were in a position to compel it. In this age everything is tending toward centralization and organization. All classes are organizing on the theory that in unity there is strength, and in order to be better equipped to hold their own and to secure justice in the fierce struggle that is going on in the world. The only hope of the laboring man in this country lies in organization." From Labor Day speech of September 6, 1892.

neither their seats nor their influence in the temple. So that after all it is legislation which protects the lowly. And legislation itself is a matter of growth; it is scarcely ever efficient at first, and only after experience has suggested the necessary alterations and amendments does it become potent.*

Even those who most feared and despised Altgeld's humanitarian principles knew well enough that his concern for the working classes had nothing in common with that vote-catching variety which vaunteth itself and is puffed up to enormous size just before election time but evaporates like a pricked bubble immediately after. In his inaugural address the new Governor made pointed reference to the need for more thorough legislation to ameliorate conditions created by "the increasing density of population in our large cities, and the establishment of what has been called 'the sweating system,' whereby many people are made to work amid unsanitary conditions which constantly imperil the health of the community; and the employment of children in factories and shops, where they become stunted in both body and mind, and unfit for citizenship." In line with this suggestion the State legislature passed, and Governor Altgeld approved on June 17, 1893, an act which Henry D. Lloyd characterized at the time as "the best anti-sweatshop law on the statute books of any civilized community." Credit for this measure belongs chiefly to Mrs. Florence Kelley, then connected with Hull-House in Chicago; but without Governor Altgeld's energetic cooperation with Mrs. Kelley and others who were pushing the bill, it is doubtful if the measure would have found its way into law. Another contributing factor of some importance

* From a newspaper article of 1888 on the "Slave-Girls of Chicago."

was a recent epidemic of contagious diseases in Chicago, the origin of which had been traced to the sweatshops. Without attempting to summarize in full this "act to regulate the manufacture of clothing, wearing apparel, and other articles in this state," it should be said that the minimum age limit below which children were prohibited from working in factories, etc., was raised from thirteen years (the minimum set in 1891) to fourteen years. For children between fourteen and sixteen years of age, affidavits by parents or guardians certifying to their age, and affidavits from physicians certifying to their physical fitness for work, were prescribed. The employment of women was limited to eight hours a day. Finally, the act provided for a board of factory inspectors, charged with enforcement of the act, and consisting of a chief inspector, an assistant, and ten deputies at least five of whom must be women. Governor Altgeld at once appointed Mrs. Kelley chief inspector, a selection which could not possibly have been improved upon.

Pertinent to this account of a measure which has been characterized as "marking the introduction of a new era in labor legislation" * is the following passage from Miss Jane Addams's "Twenty Years at Hull-House":

> Fifteen years ago [about 1894–95] the State of Illinois, as well as Chicago, exhibited many characteristics of the pioneer country in which untrammeled energy and an "early start" were still the most highly prized generators of success. Although this first labor legislation was but bringing Illinois into line with the nations in the modern industrial world, which "have long been obliged for their own sakes to come to the aid of the workers by which they live,—that the child, the young person, and the woman may be

* "Centennial History of Illinois," Volume V., page 178.

protected from their own weakness and necessity,"—nevertheless from the first it ran counter to the instinct and tradition, almost to the very religion, of the manufacturers of the state, who were for the most part self-made men.

This first attempt in Illinois for adequate factory legislation also was associated in the minds of business men with radicalism, because the law was secured during the term of Governor Altgeld and was first enforced during his administration. While nothing in its genesis or spirit could be further from "anarchy" than factory legislation, and while the first law in Illinois was still far behind Massachusetts and New York, the fact that Governor Altgeld pardoned from the state's prison the anarchists who had been sentenced there after the Haymarket riot, gave the opponents of this most reasonable legislation a quickly utilized opportunity to couple it with that detested word; the State document which accompanied Governor Altgeld's pardon gave these ungenerous critics a further opportunity because a magnanimous action was marred by personal rancor, betraying for the moment the infirmity of a noble mind. For all of these reasons this first modification of the undisturbed control of the aggressive captains of industry could not be enforced without resistance marked by dramatic episodes and revolts. The inception of the law had already become associated with Hull-House, and when its ministration was also centred there we inevitably received all the odium which these first efforts entailed.

In a personal letter, Miss Addams also tells of a prominent Illinois business man who informed Governor Altgeld that he and his associates were closing a large factory and putting over the door this legend: "Closed because of the pernicious legislation in Illinois." The Governor replied that he would be quite willing to have them close the factory if he might be permitted to change the legend to read: "Closed in the interests of the children of Illinois."

Although certain excellent results were obtained under the State factory act during the first two years of its existence, in 1895 the measure shared the fate of nearly all such pioneer legislation which ran counter to the freebooting instincts and traditions of that time. On a test case carried by manufacturers to the Illinois Supreme Court, this latter body declared the eight-hour provision for women unconstitutional on the familiar ground that it abridged "freedom of contract." Handicapped by that myopic vision with which an inscrutable providence seems to have endowed supreme courts, then and since, the Illinois archons could see no "fair, just, and reasonable connection" between the limitation of working hours for women "and the public health, safety, or welfare proposed to be secured by it." This decision seriously vitiated the effectiveness of the measure as a whole; and the process of emasculation was largely completed when in 1897 Governor Altgeld's distinguished successor, John R. Tanner, removed Mrs. Kelley from office as chief factory inspector and appointed in her place a factory superintendent who had just previously been arrested and fined for open violation of the act. But at least the measure aroused public interest in the whole matter of factory legislation, and paved the way for a more effective law, which was finally secured in 1904.

Next to the protection of woman and child workers, the chief industrial reform advocated by Altgeld before and during his term as Governor was the creation of some public machinery for arbitrating disputes between employers and employed. As early as 1886 he published an extended argument in favor of State boards of

arbitration. Six years later, in his Labor Day speech at Elgin, he said:

The great question must soon be determined as to what the State can do to prevent industrial strife and, in fact, a civil war. The question of protecting the noncombatants, that great portion of the community that has no personal interests in these strifes, that, consequently, wants them either entirely avoided or speedily adjusted, is being discussed. It is a question whether or not it is practical to enforce arbitration in these cases and make them subject to law, as we do every other dispute between individuals. The time has come when we can no longer permit a civil war to be carried on between employer and employee. The law must step in promptly and protect all, and see that justice is done. Teach the employer that he is not above the law and the employee that he is not beneath its notice.

Again, in his inaugural address of January, 1893, Altgeld recurred to this subject, in part as follows:

The reign of law has so broadened in this century as to cover almost every other controversy between man and man, and in the development of society some way must be found to subject the so-called "labor controversies" to law. This suggests the practicability of arbitration, and raises the question of the powers of the State in that regard. There seems to be no doubt about the right of the State to make a thorough investigation and render a decision, but the difficulty arises in enforcing the decision . . . but the moral influence alone of a State decision would, in many cases, be sufficient to end a strike, and some of the States have adopted laws creating Boards of Arbitration with this end in view, while others have gone further and attempted, in certain cases, to enforce the decisions of Boards of Arbitration.

Finally, in his proclamation of June 17, 1895, con-

vening the State legislature in special session, Governor Altgeld called for

> The enactment of such legislation as may be deemed necessary to create the proper machinery, agencies, or boards of conciliation, inquiry, and arbitration in all cases where there is a dispute or disagreement between employer and employees, making special provisions in such legislation for thorough examination and investigation by such board as to the causes giving rise to such disagreement or trouble, the actual facts and conditions connected therewith, and for reporting the same.

Backed as it was by public sentiment still strongly agitated over the great railway strike of the preceding summer, this demand could not well be ignored; and in the closing hours of the special session the legislature enacted a measure authorizing the appointment of a State board which, in any industrial dispute involving not less than twenty-five persons, is required to "endeavor by mediation to effect an amicable settlement," or it may act as a board of arbitration upon application by the employer or the employees. But Governor Altgeld had recommended "such legislation as will enable the parties to the dispute, alone or with the aid of a county judge, to select their own board in each case so that there may be no question about its impartiality, on the one hand, and no unnecessary salary paid, on the other." Ignoring this recommendation, the legislators voted for a standing board of three members, of whom one should be an employer of labor, one a working-man, and the third a person not belonging to either of these classes; and each was to receive an annual salary of fifteen hundred dollars. It should in fairness be added, however, that the legislature was undoubtedly influenced in this

matter by the example of the Massachusetts board of arbitration and conciliation, which was similarly constituted and had proved effective. But it was not taken into account that, unlike the situation in Illinois, industrial organization in Massachusetts had made but little progress up to this time: the laborers, largely because of their collective weakness, were generally willing and even glad to submit their case to public arbitration; while the equally unorganized employers, realizing that the State board often saved them the trouble and expense of a strike or a lockout, were as a rule content to place themselves under its jurisdiction. But in Illinois different conditions prevailed. Here there was no rough balance of industrial power. In some sections of the State (as in Chicago, for example) labor was so strongly organized as to hold the whip hand; in other sections (as in the soft-coal regions) organized capital could call the tune to which labor was bound to dance. Thus one camp or the other, according to the region in which the dispute occurred, would generally elect to fight matters out rather than risk an adverse decision from the State arbitration board. As a result, the board's services were seldom invoked, and it gradually fell into the sort of desuetude which seems to be the eventual fate of all such tribunals in this country.

Two matters of minor importance in the field of Illinois labor legislation during Governor Altgeld's régime call for brief mention in this chapter. Toward the close of its 1893 session the State legislature approved a measure submitting to popular vote a proposed amendment to the State Constitution providing that "the General Assembly shall have power and it shall be its

duty to enact and provide for the enforcement of all laws that it shall deem necessary to regulate and control contract conditions and relations existing or arising from time to time between corporations and their employees." This proposed amendment was duly submitted to the people and failed of passage—partly because of public indifference and partly because the legislative disposition to intermeddle with corporate affairs had hitherto redounded to the advantage of certain unscrupulous legislators more than to anyone else concerned.

At the same session of the State legislature a law was passed, and went into effect shortly after, which declared it a misdemeanor for an employer to forbid his employees the privilege of belonging to any lawful labor organization. A fine of not to exceed one hundred dollars, or a jail term of not to exceed six months, or both, was stipulated as the legal punishment for each offense. This measure seems never to have been enforced.

CHAPTER XIX

MISCELLANEOUS REFORMS

NOT the least arduous of Governor Altgeld's labors for the good of the State whose affairs he had been called upon to administer was his constant and determined effort to secure some reform in the existing system of taxation. Conceived in economic ignorance, brought forth in political ineptitude, and administered in corruption and inefficiency, that system was in Altgeld's day and to some extent still remains "a blot upon the fair page of Illinois history." * It is based upon the revenue law of 1872, which carried out the provisions of the constitution of 1870; but in reality the general property tax, by far the most important source of State revenue, dates from a much earlier period. Since 1872 the only noteworthy legislative innovation in this field has been the adoption in 1895 of an inheritance tax, which was increased and made progressive in 1909.

In his preelection speeches Altgeld had frequently urged the necessity of tax reform, declaring that "our present revenue law is everywhere felt to be a patchwork and a botch. A well-digested, comprehensive, and just revenue system for this great city [Chicago] and this great State is the need of the hour, and attempts will be made to create one." Likewise, in many addresses and

* Thus characterized in the "Centennial History of Illinois," Volume V, page 433.

messages after he became Governor, he repeatedly emphasized the need for new and better laws in this important field. A typical indictment of the existing evils is embodied in this passage from his general message to the State legislature of 1895:

Whatever may be said of the theory of our revenue system in this State, it is, in its practical workings, a giant of injustice. Under it the great concentrations of wealth contribute comparatively little, while the owners of small and moderate sized properties are forced to bear nearly all the burdens of the government. The personal property of the very rich is scarcely taxed at all. There are thousands of men in this State who have great fortunes invested in stocks, bonds, and other forms of personal property, upon which they do not pay a dollar, yet they enjoy all of the educational facilities, all of the protection and other advantages of the government just as much as their neighbors do, and, curiously enough, these are very often the men who have most to say about patriotism and the duties of citizenship. The failure to assess personal property is due in part to the fact that there is no method of compelling every man to honestly state what he has. Again, in the assessment of real estate the greatest inequality is found between the assessments of small and the assessments on valuable pieces of property. . . . Most of the injustice in the assessment of tangible property, such as real estate, is directly due to corruption. It is found that large holders of real estate first employ agents to manage it and to keep the taxes down. These agents have a go-between who arranges with some assistant assessor, whereby, for a consideration, the assessment on certain pieces of property is lowered so that the property owner saves from five to ten times the amount he advances to the assessor. The result of all this is that the men of moderate means, the men of small holdings, pay from two to four times as much in proportion to their ability as do the very wealthy, who do more in every way to increase the expense of the government. The moderate property holder rarely ever

calls for extra police protection, and never for military protection. The large property holders use both. . . .

Another source of great injustice is the fact that almost every great interest has managed to get special legislation changing the method of listing its property. This makes uniformity of assessment between different kinds of property impossible. If the present system could be entirely wiped out, and a simple statute enacted providing that everything that has a market value shall be assessed, either at that market value, or at a certain fixed per cent of its market value, it would, at least, make fair assessment a possibility. It is the wilderness of legislation as to detail that has produced the present monstrosity.

A prominent target for Governor Altgeld's criticism, and for the criticism of most impartial students of taxation methods in Illinois, was the State board of equalization. This body, made up of one member from each Congressional district of the State, "is supposed to labor simply for a fair and equal assessment throughout the State and then to levy an assessment upon the corporations which will be in keeping with the assessment levied upon other property." In practice, however, as Altgeld pointed out, the board "has demonstrated conclusively that a fair equalization between the different counties of the State by a board thus composed cannot be had, and second, that a fair assessment of corporate property by such a board seems to be an impossibility." In support of this second contention, he cited the case of the Pullman company, which "has in the neighborhood of $40,000,000 of property upon which it pays no taxes whatsoever." * During his second year in office, Governor Altgeld had appealed to the board at some length regarding the Pullman assessment. "But my appeal was in vain. The

* General message to the State legislature, January 9, 1895.

board left the assessment practically as it was. I was subsequently told that the only effect of my address was to cause some of the members of the board to raise their price and force the Pullman Company to come and see them." Another class of confirmed tax shirkers upon whom the Governor shed a good deal of uncomfortable illumination consisted of the great Chicago newspapers. One such paper, he pointed out, paid taxes on an assessment of only $18,000 during the same year in which it had refused a cash offer of $3,000,000 for its property.

For his crusade against existing taxation evils, Governor Altgeld was provided with much effective ammunition by the special report on taxation in Illinois prepared and issued in 1894 by the State bureau of labor statistics, under the able direction of George A. Schilling. Contrary to the usual fate of such official documents, this report achieved a circulation rivalling that of many "best-selling" novels.

But for all his vigorous denunciation of inequalities and injustices in the State taxation system, and his repeated demands for legislative redress, Altgeld could not break down the impassive resistance of those who benefitted directly or indirectly from conditions as they were. The Democratic legislature of 1893 would do nothing, and the Republican legislature of two years later was even less inclined to heed the Governor's demands. In a speech before the Democratic State convention at Peoria, on June 23, 1896, Altgeld said:

> We have in this State a revenue system that has for many years been regarded as a monster of injustice under which the very wealthy escape taxation and the farmers and people of moderate means have their burdens doubled. Two years ago the Republican

party elected an overwhelming majority of the legislature of this State, but that legislature, instead of carrying out the will of the people, embarked upon a career of corruption such as had never been seen before. Corporations doing a legitimate business were threatened with adverse legislation and were blackmailed with organized ferocity, while the rights of the people were attempted to be bartered away in the most shameless and open manner, for boodle. So ferocious did it become in the pursuit of ill-gotten gains that it seemed to be almost incompetent to attend to the legitimate business of the State. It was urged at the general session and then again at the special session to relieve our people of this unjust system of taxation by passing a just revenue law, but acting under the influence of men who grow rich by tax dodging, it not only refused to do anything, but finally, in the most supine manner, adjourned and hurried away at the dictation of the political boss who was then chairman of the Republican machine and is now its candidate for governor.

The enactment of one constructive taxation measure must, however, be credited to the legislature of 1895—if, indeed, that body is entitled to credit for giving legal form to a proposal which, while it disturbed no vested interests, was yet backed by a considerable majority of the State's voters, and had been vigorously pressed by the Governor from the day of his inauguration. This was the law adopting an inheritance tax for Illinois. Such a law had long been in successful operation in other States. It was particularly urged in Governor Altgeld's general message of January 9, 1895, and met with no especial resistance when introduced in both branches of the legislature about the middle of the session. As eventually enacted, it received the Governor's signature June 15, and became operative on the first day of the following month. There is no need to describe this Illinois law in

detail here. In main outline it follows the provisions and methods adopted in other States.

A word should be said here concerning the assertion, once commonly made and still occasionally heard, that Altgeld was an advocate of the so-called single tax. Unquestionably, he deplored the system whereby a passive land-owner may become rich through community effort,* and he looked forward to some sort of legislation that should do away with this manifest injustice. Unquestionably also, he was an ardent admirer of Henry George; and in an eloquent memorial address on the latter, he expressed the opinion that George had made "almost as great an impression on the economic thought of the age as Darwin did on the world of science." But his published utterances contain little or nothing to warrant the assertion that he ever directly committed himself to the single tax doctrine.

Closely associated with Governor Altgeld's interest in taxation reform are his efforts to secure certain long-needed alterations in and additions to the State constitution. These efforts had chief reference to improvements in the existing revenue system, although other matters of considerable importance were involved also. In his inaugural address of January, 1893, Altgeld suggested the need of constitutional revision in the following sentences:

> There is a widespread conviction that the present revenue system of our State results in the greatest inequalities and injustice in the matter of taxation. The subject is too great to be considered at present. Various measures in relation to it will no doubt

* See "Live Questions," pages 260–261.

be presented to your consideration, the most important of which is, perhaps, the question, whether any comprehensive change can be made without a revision of our constitution. In the past our State has revised its constitution at intervals of thirty and twenty-two years.

A number of questions have arisen in the development of recent years, relating to various subjects on which legislation is needed, but where there seem to be constitutional difficulties in the way. This is especially true of the revenue system and of the question of enlarging the elective franchise, on which latter subject the law is left in a condition of uncertainty that is not creditable to the intelligence of our people.

These suggestions bore fruit in a joint resolution introduced in the legislative session of 1893, and thus reciting the conditions calling for remedy by constitutional revision or amendment:

We are prevented in a great measure from redeeming the pledges we made to the people of the State . . . by constitutional obstacles and restrictions; and

Whereas, the inadequacy of that constitution to meet the demands of present and future conditions has caused bitter complaint among the people and much just discontentment, and

Whereas, there are weighty social and economic issues persistently pressing upon us and demanding solution, and yet cannot be squarely met and intelligently solved with the present constitution in the way; and

Whereas, the present revenue system is flagrantly unfair, unequal and, consequently, unjust in its operation; and

Whereas, our present judicial system is complicated, cumbersome and subject to gross abuse in unnecessary delay in our courts, thus unduly shielding the guilty from deserved punishment and working injustice to the innocent, especially discriminating against the poor man.

The resolution to which these preliminary clauses led up was passed by the Senate with only one dissenting vote, but failed of passage in the House. Thereupon a joint resolution of somewhat similar tenor was introduced in the lower branch and received a vote of sixty-seven in its favor and sixty-four opposing; but as a resolution of this nature requires for its passage the concurrence of two-thirds of all members elected, it was lost.

Altgeld's keen interest in civil service improvement will be made more apparent in a succeeding chapter dealing with his conduct of the State charitable institutions. In the present connection, however, something must be said of the civil service law for cities enacted (largely as a result of his own efforts) by the State legislature in 1895. Up to that year the spoils system had flourished with little or no hindrance in the appointments to public office in Illinois; but soon after Altgeld's assumption of the governorship agitation in favor of reform began to assume formidable proportions. In Chicago the state of things under the old order had become especially odious, and in order to effect a remedy a movement was started by the Civic Federation and the Civil Service Reform League to secure legislation establishing the merit system in that city. A bill drawn by a committee representing these organizations was introduced in the legislature in January, 1895, and was passed in March, receiving the signature of Governor Altgeld and going into effect immediately. But it was an optional law, applying only to such cities as might adopt it by popular vote.

However, in less than two weeks after it became operative it was adopted by the voters of Chicago, the majority in its favor being nearly fifty thousand; and similar action was afterward taken by Evanston, Springfield, and Waukegan. Like other early laws of the sort, this measure failed of its purpose in many respects; but it was still so moderately successful that in 1905, three years after Altgeld's death, its provisions were made applicable to the appointment of employees in the State charitable institutions.

When Altgeld became Governor of Illinois, land-conveyancing in the State had long been subject to a clumsy and expensive system, and it was rendered especially cumbersome in Chicago by the destruction of the official records of land-titles in the great fire of 1871. In the absence of these records, certain abstracts made by private hands and in the possession of various wealthy corporations were resorted to whenever a piece of real estate was transferred or mortgaged; and the expense and delay involved were serious. As a large holder of real estate, Governor Altgeld was particularly alive to the need of reform in this matter, and when the report prepared by a commission to study the subject was presented to him he exerted his influence for the speedy passage of a law embodying the commission's recommendations. This statute, adopting the provisions of the now well known Torrens system of land-conveyancing, was passed by the State legislature in June, 1895; but in 1897 it was declared unconstitutional by the Illinois supreme court, on the ground that it placed judicial power in the hands of the recorder

of deeds, who under the new law became also registrar of titles. To meet this objection, the power of defining titles was assigned to the courts of equity in the several counties of the State, rather than to the registrars of titles; and in this amended form the law was promptly passed again.

Limitations of space make it necessary to omit detailed mention of several minor reform measures enacted during Governor Altgeld's administration * and of various other plans and endeavors for the public good, to which he gave the best that was in him. But this chapter must not be closed without finding place for the following tribute, by Judge Edward Osgood Brown, to Altgeld's services in behalf of the great Chicago park system:

He loved Chicago and he loved Illinois even more. I was brought into frequent official contact with him while I was the legal adviser of the Lincoln Park Commissioners, during his administration. Whatever ignorant or prejudiced criticism may have said, I can bear witness from the most intimate personal knowledge that the great pleasure grounds of the people were the subject of his constant and watchful care with an eye single to the greatest benefit to be obtained from them for the greatest number of people. That the Lake Shore, which had been largely lost to the public south of the Chicago River, should be preserved north of the River to the northern limit of Lake View as the basis of suitable recreation grounds to be built on the submerged shallows of Lake Michigan, for the use of the countless multitudes

* As for example, in the field of educational affairs, the substitution of a less drastic measure in place of the obnoxious Edwards Law of 1889, described in a previous chapter of this book; the establishment of a teachers' pension fund; and the incorporation of kindergartens in the State public school system.

who are to follow us, was one of the projects closest to his heart. Those pleasure grounds have been assured for the future, and they will be an enduring monument of Governor Altgeld's administration which he would most appreciate.*

* From an address before the Chicago Historical Society, December 5, 1905.

CHAPTER XX

THE UNIVERSITY OF ILLINOIS

NOTHING stands out more conspicuously and creditably in the record of Altgeld's administrative achievements as Governor of Illinois than his services to the State university. "He raised this institution," according to its distinguished ex-president, Dr. Edmund J. James, "from a comparatively insignificant country college to the rank of a great school of learning, the foundations of which are broad and deep. . . . He marked an epoch in the educational life and interest in this commonwealth."

Unlike so many successful men whose education has been for the most part self-acquired, Altgeld was never inclined to disparage the advantages of a college training. At the same time, he did not exaggerate its importance or think of it as an end in itself. "While a college education is invaluable, it is not the end and aim of life. It is only a training to begin work. . . . Education means training, not memorizing or stuffing. The mind must be a workshop, not a storehouse." * He felt that public education, particularly in the colleges, should be mainly directed toward fitting the young to meet "the great practical problems which confront them"—not so much the bread-and-butter problems of the individual as the large social problems of the community. Closely allied with this feeling was his

* Address to the graduating class at the University of Illinois, June 7, 1893.

inveterate belief that the purposes and methods of education should before all else be democratic: the young should never be "educated out of or away from the spirit that prevails among the people."

Upon taking up his duties as Governor at the beginning of 1893, Altgeld found in the University of Illinois an educational institution which, whatever its shortcomings in other respects, was at least thoroughly practical and thoroughly democratic. Established some twenty-five years before, under the terms of the Morrill Land Grant Act, as the "Illinois Industrial University" (this name was changed in 1885 to the present form), it had so far been a useful though relatively unimportant school of agricultural and mechanical arts. In 1892 the university activities were carried on in four antiquated buildings, by a faculty of twenty-six professors and twelve subordinate teachers, all over-worked and under-paid; and the student enrollment was less than six hundred. To meet expenses, the income from endowment had from the beginning been eked out by a biennial legislative grant, always niggardly in amount and always grudgingly conferred. Still, according to its official historian, the institution had "somehow found its feet and maintained its place against financial difficulties, legislative neglect, the hostility of some interests and the contempt of others, but without achieving real character as a university." *

With the advent of Governor Altgeld's administration, an unwonted attitude of friendliness toward the university began almost immediately to make itself felt from the direction of Springfield. Encouraged by this phenomenon, Dr. Thomas Burrill (then acting head of the institution) determined to alter the customary

* Allan Nevins, "The University of Illinois," page 1.

practice of asking the State legislature for no more than the bare necessities of existence, and early in 1893 he induced the trustees to make application for the wholly unprecedented sum of $551,500. Of this amount the largest part was desired for new buildings—a library, an engineering hall, and a museum. The legislature, committed as all newly-elected public bodies are to a policy of strict economy, was at first inclined to deal with this request after the manner of the almshouse beadle with Oliver Twist. The senate committee voted at once to eliminate the desired sum for new buildings, and to reduce the requested appropriation for general funds to the amount of the previous biennial grant—$96,000. But in this thrifty plan they were reckoning without a new and important element. Through the efforts of Henry M. Dunlap, an alumnus of the university who had just been elected to the State senate, a delay was secured in reporting the bill out of committee. Meanwhile, Governor Altgeld, ably seconded by Dr. Burrill and Senator Dunlap, brought such effectual pressure to bear that at a second meeting the committee evinced a thorough change of heart, recommending the sum of $120,000 asked for general expenses and $160,000 for a new engineering hall. The appropriation bill as finally passed provided for a total of $295,700, or more than twice the amount of any former biennial grant.

This victory marked a definite turning point in the university's history. The next two years witnessed a notable reinforcement of all the existing facilities, and the creation of several much-needed departments or courses. But Altgeld considered that only a very modest beginning had been made toward meeting the institution's needs and developing its possibilities. In comparison

with several other State universities of the middle west at this time, it was still of minor rank; and it had not yet succeeded in gaining popular recognition and support within the borders of its own State. Among Chicagoans, in particular, it was held in scant esteem; even in 1894 a Chicago newspaper could still speak of it as "a bucolic school in the interior, awarding diplomas of husbandry to graduates thereof at stated intervals." In his general message of January, 1895, to the newly assembled State legislature, Altgeld said:

> For many years there has been maintained at Champaign, in this State, partly at State expense, a university, now known as the University of Illinois. For some reason our people do not seem to know much about it. By many it is regarded as an agricultural school. . . . I submit that Illinois should have one of the greatest educational institutions on earth. We have the wealth, the people, and the enterprise to make it. . . . I most earnestly urge a liberal policy toward this institution of learning.

With the installation of Dr. Andrew Sloan Draper as president of the university in the fall of 1894, Altgeld's relations with and services to that institution entered upon a much more intimate and greatly enlarged phase. In training, experience, temperament, and ideals, the two men had much in common. Both had risen from the humblest beginnings as farm boys; both had had a legal training, but lacked the advantages of a general education; both had served in several public offices, and knew the devious ways of politics. As it was said of Draper, so it might with equal truth be said of Altgeld, that he was "a man of simplicity, directness, of firmness of will and unswerving insistence on his aims, and of broad vision remarkably free from prejudices. The

downright quality about him was unmistakable; when h had once taken a position his friends and enemies kne where he stood. He believed in plainness but substa tiality." * In its then stage of development, Drap was an almost ideal head for the State university; ar in Governor Altgeld he had an almost ideal ally ar coadjutor. The two men worked in sympathetic c operation from the first, and as a result of their aggre sive efforts the university "passed from a shrinking pr tender to State favor to an institution whose power w recognized from Chicago to Cairo." Of their ear association and its results, the following account is tak from Mr. Allan Nevins's history of the University Illinois:

It was a large factor in the success of Dr. Draper's first yea that John P. Altgeld was in the Governor's chair when he to his seat. Altgeld was the first State executive to realize that t interests of the people were bound up with making the Universi powerful and comprehensive—as he expressed it in one executi message, "a complete university in the highest meaning of t term." On the first day of the President's service, Altgeld can to Urbana to see him. "He talked of the things he wanted done said Dr. Draper; "they were good things to do and showed th his sympathies were genuine and that he had given not a litt thought to an involved and rather depressed situation. He want more buildings, more teachers, more students, more carrying liberal learning to all the people and all the interests of the Stat and much more money to do things with. It was a little surpri ing to hear a live Governor talk like that." He reassured Drape who was a conservative Republican, that there was nothing in h radical political views to alarm the University. Altgeld, indee was not the anarchist he was reputed to be—he was never mo

* Allan Nevins, "The University of Illinois," page 154.

than a progressive with an intense belief in democracy and the rights of the poor. It is true that he felt for the unfortunate too blindly, that he hated his opponents unreasonably, and that he read too much German Socialism,* but this never affected the work he did for the University. He was the first Governor to attend as many Trustees' meetings as possible, and to visit the University frequently; and he and Draper were soon fast friends.

Upon one fact he and the President were emphatically agreed—the deplorable one-sidedness of the University's development. The agricultural college was improving, the engineering college one of the first in the West and of the three largest in the country, the college of science favorably known for its research; but the University was so ill-equipped for the teaching of literature, history, the languages, business, economics, and law that no far-sighted student would attend it to pursue these branches. Altgeld sympathized with those of limited means as much as he disliked the rich, and he reasoned that endowed universities were likely to be open exclusively to the well-to-do. He wished all the poor youth of the State to have the same educational opportunities as children of the wealthy, and believed that only a well-supported, well-rounded State institution could guarantee this. Nor did he wish to strengthen the liberal studies alone, but he thought that no matter what advanced or professional training an Illinoisan might desire, he ought not to feel it necessary to leave the State-supported schools; and he lent his whole support to the policy of expansion which was to found the law school, the medical school, the schools of pharmacy and dentistry, and to strengthen the graduate school. He was undoubtedly helped in this by two factors: the feeling in Springfield that it would be well if the Democrats could claim to

* This is a very common misconception. There is no direct evidence that Altgeld was ever particularly interested in, or even particularly conversant with, German socialism. He was simply a whole-hearted believer in the theory that private monopolies should be converted into public monopolies—that monopolies should exist, if they exist at all, for the benefit of *all* the people rather than of a few individuals. This, as he said, "is not State socialism; it is simply protecting the people, and therefore is democracy in its broadest sense."

have been the first to put the State University upon its feet, and the slight nettling of legislative pride by the huge growth of the University of Chicago under the Rockefeller and other millions.

Altgeld soon had an opportunity to redeem his promises to Draper. In the spring of 1895 the University asked the Legislature for a total of $502,300, the principal items being for a library, a President's house, a heating plant, an observatory, and $180,000 for operating expenses for the biennium. Senator Dunlap guided the bill through the upper chamber without trouble, but the House leaders demanded the striking out of the appropriation for the library. While Dunlap, through friends in the House, had action deferred, President Draper, Prof. Burrill, and Mr. Pillsbury [secretary of the university] reached Springfield after an all-night journey in a hack and local train, and at seven o'clock telephoned Gov. Altgeld of the danger to the most important feature of the bill. Altgeld promised to bring the Democrats on the appropriations committee into line if the three would split the Republican opposition, and this was done. Committee action had already been taken to place in the House bill certain small items, as for the observatory, which had been omitted in the Senate bill; and when the library was again provided for, the measure the House received for passage actually carried more than had the measure which Dunlap pushed through the upper body. House leaders were as angry as Altgeld and the University were pleased, and the chairman of the appropriations committee telegraphed Draper for permission to substitute for the library an appropriation for the President's House, which had been omitted. It was of course refused (the House was built from the proceeds of some outlying land), and the appropriation as finally made reached $422,000.

From the first day of his association with the university, Governor Altgeld laid particular stress upon the desirability of adding courses in law and medicine to the existing curriculum. In conjunction with the State Bar Association and Dr. Burrill, he had made plans early in

his administration for the addition of a law school; and negotiations for establishing the medical department began in 1894, which the Chicago College of Physicians and Surgeons offered its property and good will to the university for a sum not exceeding $160,000, the price to be fixed by a joint committee of appraisal. But delays and difficulties lay in the path of both these projects. Meanwhile, Altgeld was eager to make some sort of beginning, however humble—as is evident from the following letter, written to President Draper in March, 1896:

Dear Doctor:

You will remember that some time ago I talked with you about starting some law lectures and also some lectures in medicine this winter at the University, making them, of course, free, and allowing the students to attend at will, the purpose being to take the preliminary steps or lay the foundation for opening a regular law department and medical department of the University, next fall.

I hope you will be able to do this without much further delay, as I regard it as very important to take these preliminary steps now and, as it were, make a beginning for the law and medical course, as I am exceedingly anxious that your institution shall be a complete university in the highest meaning of the term before the expiration of my term of office.

I think there will be no trouble whatever in getting volunteer lectures in both law and medicine delivered this spring, and I will assist in securing lecturers if you will make the other preliminary arrangements.

With assurances of high regard, I am

Very truly yours,
JOHN P. ALTGELD.

After the legislature had refused an appropriation for establishing a school of law, Altgeld urged the uni-

versity trustees to use for this purpose some general funds not received from the State. His plan was adopted in 1897, when $7,000 became available; and from this humble beginning has grown what is now an important department of the institution. In the same year a tentative agreement was consummated under which the Chicago College of Physicians and Surgeons became affiliated with the university as the latter's school of medicine. Closely allied with this department is the school of pharmacy, established in 1896, when the university absorbed the Chicago College of Pharmacy. The location of the schools of medicine and pharmacy in Chicago has done much, as Altgeld wisely foresaw, to create and maintain an interest in the university on the part of Chicagoans, and to enlist the support of Chicago business interests.

At the time of his retirement from the governorship of Illinois, in January, 1897, nothing else in Altgeld's public career had given him such unalloyed pride and satisfaction as the work which he had accomplished in developing the State university. Here, he rightly felt, was at least one achievement of his which was beyond the reach of misinterpretation or detraction, which could not be clouded by even the most virulent of his enemies. But the fates did not know how to be kind to John P. Altgeld; and in this, as in all the main endeavors of his life, he was destined to feel the force of their disfavor. The blow fell now with a peculiarly unjust and embittering cruelty. Its nature is disclosed in the following extract from a long letter written by Altgeld to his friend Judge Lambert Tree, in May, 1897:

Personally I have had what the parrot described to its mistress as "a hell of a time." . . . Worst of all, Mr. Spalding, the President of the Globe Savings Bank and the treasurer of the State University at Champaign, has failed and it looks as if the institution would lose several hundred thousand dollars. Of course all these things are charged to me, and while I am in no way responsible and do not mind the abuse, I am nearly heartbroken over the loss to the University. I had done more for that institution than all the other Governors put together. Through my aid it erected six great buildings during my administration and added several important departments and literally leaped forward and bid fair towards becoming one of the greatest institutions of learning on the American continent. I would as soon have been paralyzed as to have had anything happen to this institution.

In view of the great Democratic victory in the election of November, 1892, and the coming to power of the first Democratic State administration in Illinois for many years, it seems that the trustees of the university had decided that it would be both courteous and expedient to place the selection of at least one of the university officers in the hands of the new Governor. The latter had no power to make the appointment in his own right; it was merely proposed that he should name a candidate whom the board of trustees might appoint. There were but two university offices that came within the scope of this arrangement—that of secretary and that of treasurer. The trustees decided that it would be to the best interests of the institution to retain the secretary (W. L. Pillsbury) then in office, and to suggest that the Governor name a successor to John W. Bunn, who had served as treasurer of the university since its founding in 1867. Altgeld proposed the name of Charles W. Spalding,

president of the Globe Savings Bank in Chicago; and the trustees accordingly appointed Spalding as treasurer. As a result of the long-prevailing financial depression, Spalding's bank failed in April, 1897; and shortly after, grave irregularities were discovered in his accounts as treasurer of the university. An investigation disclosed that of some $555,000 in bonds and cash with which the treasurer was entrusted, all but about $125,000 had been misapplied. Spalding had made use of these funds in an endeavor to tide over his own financial crisis, and when it became necessary to replace them he was unable to do so. Part of the defalcation was later recovered, and the remainder was promptly made good by a State appropriation; so that in the outcome the university suffered no direct loss. Spalding was sentenced to a penitentiary term.

As the above account indicates, Governor Altgeld had nothing to do with the removal of Bunn, whose long service as university treasurer had been both efficient and honorable; and he had not directly appointed Bunn's successor, Spalding. In effect, however, he was responsible for Spalding's appointment. Even so, the most that could be justly charged against him in the unhappy result was that he had made a serious error of judgment. For his confidence in Spalding's integrity, Altgeld paid heavily on his own account, through the loss of personal funds in the failure of Spalding's bank. But the newspapers of Chicago, with one or two exceptions, seized hungrily upon the incident as a heaven-sent opportunity to harry their favorite quarry; and if Altgeld had raided the university treasury in person he could scarcely have been treated with more extreme contumely in the press. This attack had the desired effect

of not only besmirching Altgeld's personal and political reputation but discrediting in large degree the entire State administration of which he had been the head. Coming as it did on the top of several other serious reversals of fortune, the whole affair was all but fatal to his mind and health; indeed, for months afterward it was expected that he could live but a short time.

Although necessarily dealt with here at some length, this untoward incident has little if any importance in the larger view that has long been taken of Altgeld's association with the University of Illinois. The essential fact is that by his aggressive and devoted exertions in behalf of the university at perhaps the most critical period of its career he laid the foundations for all the splendid development that has attended its later history. In permanently changing the attitude of the State legislature from indifferent picayunishness to enlightened liberality toward the higher educational interests of Illinois, he performed a service to the commonwealth which it would be difficult to over-value. When, some ten years after Altgeld's death, a measure was being pushed to provide a public statue of him in Chicago, ex-president Edmund J. James urged that a second statue be erected on the campus of the University of Illinois. But the university itself is in large part a monument to Altgeld's endeavors.

CHAPTER XXI

OTHER STATE INSTITUTIONS

UNTIL well into the present century, there was little unified control over the public charitable institutions of Illinois save that exercised by the Governor of the State through his power of appointing and removing the officials of such institutions. Each of the latter had its own independent board or commission charged with the duties of management, the members of which, as well as the working officials under their supervision, were appointed directly by the Governor. Some slight degree of centralized regulation was provided in 1869 through the creation of a State board of charities, consisting of five members appointed by the Governor; but its powers were limited rather strictly to making inspections and investigations, giving advice, offering recommendations, and submitting reports to the Governor and legislature, so that it possessed no real executive or controlling authority. Under this system, or lack of system, the management of each institution (consisting too often of politicians who had been appointed to their places for no other reason than that they were loyal party workers in need of jobs) was virtually a law unto itself, and could conduct matters as it pleased with little fear of exposure or removal.

In his preelection speeches of 1892, Altgeld had thrown much light on the deplorable condition of affairs

in many of the State institutions, citing definite facts and figures as to official inefficiency and (in some cases) corruption which were startling even for that period of lax public morality. When he came to the Governor's chair he at once set about doing everything within his power to remedy these conditions. His first step was the customary procedure commonly known in party politics as "turning the rascals out." But he did not follow this up with the no less customary procedure of installing a new set of rascals in their places. On the theory that those whom he placed in charge of the State institutions should be in thorough sympathy with his administration, most (though by no means all) of his appointees were Democrats;* but at the same time he insisted upon certain standards of fitness and capability in his appointments which spread consternation in the ranks of the place-hunters and brought the party bosses scurrying to Springfield in indignant protest. As was remarked by *The Outlook* shortly after his death, one of the principal things upon which rests his reputation as Governor of Illinois is "the moral force he showed in keeping the spoilsmen out of the State's charitable institutions." Nor was he content merely to appoint good men (and women) to office, and then leave these persons to their own devices. Instead, he was constantly vigilant and insistent that they

* That Altgeld was willing to disregard the claims of party allegiance upon occasion is evidenced by the following note, written to Colonel James A. Sexton of Chicago, on May 31, 1894: "It seems to me that you ought to stay on that Soldiers' Home Board. I want a representative soldier there to represent the Republicans, and even if you can't have your way about the patronage of the institution (to which I have paid no attention), you can at least keep an eye on everything that is going on and see that the old soldiers there get the best treatment that is possible under the law to give them. I am very anxious that the Soldiers' Home be made, if it is not already, the very best institution of that kind in the world. Kindly think about this and write me again."

should perform their full duty both to the public and to the inmates of the institutions which they had been appointed to administer. Twice during his term of office, once in 1893 and again in 1894, he called the trustees and superintendents of the State charitable institutions together at Springfield and told them plainly just what he required of them. Not often has an American executive in the palmiest days of the spoils system sounded such a note as is struck in the following extract from Altgeld's address at the first of these conferences:

My instructions have been not to employ anybody, no matter by whom recommended or urged, unless it was reasonably apparent that he, or she, was honest and competent and would do efficient work; and further, that nobody must be retained for one hour after it became apparent that he, or she, was not the right person for the place, and that political pressure must be absolutely disregarded in passing upon a case of this kind; that only the best interests of the institution must be considered. But, notwithstanding these instructions, we have had trouble in certain localities. That was one reason why I wished to have you meet here today, and I wish now to repeat and emphasize these instructions; that the whole energy of the superintendents and of the trustees, and of everybody connected with the management, shall be bent to place these institutions upon the very highest plane of excellence and superiority possible, and that no personal considerations, no considerations of friendship or political patronage, must be permitted to stand in the way one minute.

To those trustees who were inclined to take their responsibilities lightly, because of the fact that they were serving without direct remuneration, the Governor had a particularly forceful word to say:

Now, gentlemen, this will not pay you. You are not only frittering away your opportunity, but you are wasting your time.

If you do not intend to make yourselves thoroughly masters of all the details of your institutions and to look after everything, even the minutest matter, with scrupulous care, then you are making a mistake in holding on to your office, for you will never get any satisfaction out of it. . . . I am aware that you get no pay for the service you render, that is, you get no per diem; but there are things that cannot be settled for across the counter. There are sentiments too lofty for greed to understand. There are pleasures that are above anything that money can give, and these sentiments and these pleasures grow out of a disinterested and patriotic service of your country. Perform a service of that character and your descendants will glory in pointing to it.

Again, in somewhat the same vein, he impressed upon superintendents as well as trustees that sinecurism would not be tolerated in Illinois under his administration.

It is not intended that any position in any of the asylums or institutions of this State shall be a position of ease. On the contrary, it is intended that they shall be positions of labor, and hard labor at that. You are serving the public, gentlemen. You are rendering a service to your country which can be made even of a higher order and more valuable to mankind than service on the battlefield or in the halls of legislation, and we expect not only constant work of you, but diligent work, and you must go at it with the understanding that the only reward that is worth talking about is the consciousness of having done right and the consciousness of having served your country.

In December, 1893, the superintendent of every State institution was directed by Governor Altgeld to make a thorough study of theories and methods adopted by the most advanced similar institutions in this country and abroad, "to see wherein such institutions differed from ours, and if anything was found elsewhere that was

thought to be an improvement upon the methods pursued here, to at once adopt it; also to submit a full report of such investigation on or before April 1, 1894." The resulting reports were published in collected form by the State and widely distributed, so that not Illinois merely but the country at large benefitted greatly by what was for its time and place an unique experiment.

In addition to banishing the spoilsmen from the State institutions and infusing a quite unwonted spirit of energy and efficiency into the management of these institutions, Governor Altgeld forced through at the outset of his régime two specific reforms of much importance. The first of these consisted in doing away with private purchasing agents, and buying all State supplies by the method of competitive bids. Under the second, the trustees and superintendent of every State institution were required to include in their annual published report the complete pay-roll of their establishment, giving the name of every person to whom money had been paid, the amount paid, and a statement of the service for which payment was made. Thus, two of the most fruitful sources of evil under the old system were effectually abolished.

Still another noteworthy innovation put into effect by Governor Altgeld in his efforts to improve the public service of Illinois is thus referred to in his biennial message to the State legislature of January, 1895:

> This administration has taken a new departure by appointing a number of women on important boards and to other positions. While this was not good politics, from either a personal or party standpoint, it was believed to be eternally right, and was done solely on the ground of justice. The army of women who are obliged to earn their own bread is constantly increasing. At

best they have a hard struggle to maintain themselves. Justice required that the same rewards and honors that encourage and incite men should be equally in reach of women in every field of activity. And I am glad to report that they have met every reasonable expectation. As a rule, they have done their work well.

At least two of the women appointed by Governor Altgeld to public office, Miss Julia Lathrop and Mrs. Florence Kelley, have since attained national prominence. In an address delivered before the League of Cook County Clubs more than twenty years ago, Miss Lathrop said:

I know of no man in the public life of Illinois who did so much to give women an opportunity as John P. Altgeld. . . . He did it because he believed it to be right, and he modestly never counted it an achievement. One of Governor Altgeld's first official acts was to appoint two women on state boards. He was the first governor to name a woman as one of the trustees of the University of Illinois. He was the first to name a woman factory inspector. He insisted that there be a woman physician in every state institution where women and children were confined. All of these appointments have been swept away by the spoils system.

A mere list of the State institutions founded or enlarged during Governor Altgeld's administration is impressive. Of course such a list is by no means the highest possible testimony to his character and ideals; but at least it presents some of the results, in a material sense, of his untiring efforts to leave the State of Illinois, on retiring from his high office, better than he found it on assuming that office. Aside from numerous new buildings added to the existing institutions, there were founded by

the State during the four years of 1893–96 two new normal universities, one at Charleston, in the eastern part of the State, and one at DeKalb, in the northwestern part; two new insane asylums, at Peoria and Rock Island; a girls' reformatory at Geneva, near Chicago; and a home for soldiers' widows at Wilmington. A bill appropriating $120,000 to enlarge the Southern Hospital for the Insane, and the same amount for enlarging the Northern Hospital for the Insane, was vetoed by Altgeld on the ground that the measure was prompted largely by local greed and not by a desire for the best interests of the insane of Illinois. More and smaller institutions for the treatment of insanity were wisely favored by the Governor rather than the enlargement of existing asylums that already sheltered as many patients as could be advantageously cared for in their respective establishments.

In the matter of architecture, as in most other matters, Altgeld had certain definite ideas of his own, and he endeavored with some success to have these ideas embodied in the new construction work carried forward by the State during his administration. Here is his own plea in this respect, as contained in his second biennial message to the State legislature:

> Owing to the rapid growth of our population and the great demand for room in public institutions, but little consideration was given to the subject of architectural design in public buildings, in the past, the principal effort being in each case to get as much floor space as possible. Consequently, while the State has a large number of buildings, there are but few whose exterior architecture is commanding or impressive. The appropriations made during the present administration were so small as not to admit of ornamentation; but it was felt that the time had come

when we should not only build fireproof buildings, but give a little more attention to their external appearance. After an examination of the subject I became satisfied that the most inexpensive, as well as the most impressive architectural style for buildings that are to stand alone in a grove, or in a field, is what has been called the Tudor-Gothic style, as the effect is produced by simply carrying the mason work, that is the wall, above the cornice line, and there breaking the lines in such a way as to produce small towers, battlements, etc. This style has consequently been adopted in most of the buildings that have been erected during the last two years, and is found to be very effective. Had we possessed large appropriations so that Grecian columns, Roman arches, and other forms of ornamentation could have been indulged in, it is probable that some other style of architecture would have been selected; but for the money which the State has expended it would have been impossible to get the same desirable effects in any other style.

A more poetic and idealistic reference to the same subject is contained in his speech at the laying of the cornerstone of the Rock Island hospital for the insane, during the autumn of 1896.

You have observed that the style of architecture adopted is what has been called Tudor-Gothic and has something in common with some of the famous castles found in Europe. I am told that as a traveller ascends the Rhine and views some noted castle situated on a hill-top he is regaled with an account of the marauding baron who lived there centuries ago and with a small band of retainers emerged from time to time to rob and plunder his weaker neighbors. In the centuries which are to come, as the intelligent traveller shall ascend the great Father of Waters and see this magnificent structure commanding a view of the surrounding country, he will exclaim: "There stands a monument to the intelligence, the civilization and the humanity of the people of northwestern Illinois."

To an observer of predominantly æsthetic interests, the first glimpse of such a transplanted "castle on the Rhine" is likely to arouse somewhat other reflections than those above predicted. But even from an æsthetic point of view, this type of architecture was at least no worse than most of the other types embodied in the public buildings of that period; while from a practical aspect it possessed several important advantages. A few survivals of what came to be known in Illinois as the "Altgeld style of architecture" are still to be found in that State.

Not only in the charitable institutions but in virtually all other departments of State service, new and greatly improved business methods were put in force during Governor Altgeld's administration. All custodians of State funds were for the first time required to turn the interest on such funds into the public treasury. The State insurance department, which had heretofore (in Altgeld's words) "contributed scarcely anything to the State treasury from the large amount of fees which it collected," publicly accounted for something like $170,000 during the single year of 1896. The Illinois and Michigan canal, a joint State and Federal enterprise linking the Mississippi river system with Lake Michigan, made payments for the first time into the State treasury. Many other like instances might be cited here.

CHAPTER XXII

THE "ETERNAL MONOPOLY BILLS"

DURING the middle period of Governor Altgeld's administration, the power and the glory of the internationally famous art connoisseur, romantic adventurer, and Titan of finance, Charles T. Yerkes, stood at their zenith. Certain unfortunate occurrences in the early eighties had made it necessary for Mr. Yerkes to abandon Philadelphia, the scene of his previous activities, and to seek a less exacting moral environment. Coming to Chicago, he had operated for a time as a broker, modestly avoiding any premature prominence, but with a calculating eye always upon what was for him the main chance—street-railway manipulation. In 1886 and 1887, largely on the financial backing of his former Philadelphia confrères, Messrs. Widener and Elkins, Mr. Yerkes secured control of the north and west side street-car lines, the most important in Chicago. With this control, and with a newspaper of his own to keep the Chicago public suitably informed of his efforts in their behalf, he launched a campaign of financial and political exploitation which astonished even the most seasoned practitioners of "big business." In the traction field, under his magic touch, holding companies, construction companies, operating companies sprang up in bewildering confusion; and their securities, with loans upon the securities, multiplied in every conceivable form. His personal wealth grew to a figure

that was almost fabulous for those times. In the conjunct field of politics, Mr. Yerkes was soon bestriding the narrow world of Chicago like a Colossus. Always judiciously plying his lightnings from a cloud, he controlled conventions, made and unmade mayors and aldermen, and had his henchmen everywhere in high places with the necessary eloquence and legal tender to effect his purposes.

But although seeming to hold the traction interests of Chicago in the hollow of his hand, it was not long before certain rather serious obstacles began to loom in the pathway of this Jovian magnate. In the Illinois constitution of 1870 a clause had been inserted making it impossible for the State legislature thereafter to grant street railway franchises without local consent. Later, a State law was passed limiting all such franchises to a term of twenty years. In 1895 some of the franchises acquired by Yerkes were about to expire, and others would lapse during the next few years. Investors were by this time becoming a little wary of securities based on short-term franchises. In addition, a somewhat formidable opposition to the Yerkes dictatorship was developing in Chicago, which boded difficulty when the franchises should come up for renewal. Yerkes had learned his politico-financial creed in Pennsylvania, where legislatures obligingly granted franchises "in perpetuity" or for nine hundred and ninety-nine years. He would ask nothing so extreme as this in Illinois, but would compromise on a modest basis of ninety-nine years. *That* he must have, and he set about getting it. If only the city council of Chicago were concerned, it would have been a simple matter to purchase his desires. The corrupt municipal system was running smoothly, and the bi-partisan ring headed by

John R. Walsh (Democrat) and John M. Smyth (Republican) awaited only the cheery accents of its master's voice. But in the existing circumstances it was necessary to deal with a somewhat less compact, less manageable, set of statesmen. Yerkes, however, was nothing daunted. From his long experience in Pennsylvania he was aware that corruption is no less a State than a municipal institution. He turned to Springfield in full confidence that he would find "the system" functioning as perfectly there as he had found it functioning at Harrisburg. And, save in one vitally important respect, he was not disappointed. "The system" was indeed there.

> It had been there for at least twenty years. . . . The railroads and other great corporations of the State had built it up, and it was theirs. . . . The head of it is, not the railroad lobby, as in Missouri, but the bi-partisan group of Senators, called the "Senate combine," which is an old institution now reduced to refined blackmail and the orderly protection, for lump fees, of special interests. The House, more unwieldy and changeable, has to be moved by individual bribes of various amounts, and there is often scandal and quarrelling over the division of the spoils; but the "regular business" in the House is done by committees which the Speaker appoints. To complete the legislative system, the Governor should be either a figurehead or the boss.*

What Mr. Yerkes wanted in the way of traction legislation was embodied in two bills, one relating to street railways and the other to elevated railways. At about the same time the Chicago gas trust, in which Yerkes was financially interested, framed a little bill of its own. In cunningly devised forms which largely concealed their real purpose, all three bills aimed at one main

* Lincoln Steffens, "The Struggle for Self-Government" (1906).

object—the strengthening and perpetuation of monopoly privileges in Chicago, for the principal benefit of Yerkes and the financial clique behind him. With no great difficulty these bills were safely piloted through the State legislature. "The system" was so far in good working order. But its full and perfect functioning required, as we have seen, a Governor who should be either the boss of the entire machinery or a figurehead "who takes his ease, honors, and orders, lets the boss reign, and makes no trouble for the System." Unfortunately for the grandiose dreams of Yerkes, the Governor of Illinois at this time was neither the boss nor a figurehead. He stood apart from and in opposition to "the system"; he cared nothing for ease or honors, and he took orders from no other source than his own conscience. In the political world of his day, he was what biologists term a "sport"—a strange or striking deviation from type. Rumors were soon abroad that he intended to veto the monopoly bills. This was a contingency which had scarcely been dreamt of in Yerkes's pragmatic philosophy; he could make nothing of it save that "the system" had failed in coming to satisfactory financial terms with the Governor, and therefore direct negotiations were imperative.

There are several versions of the incident in Governor Altgeld's career commonly (and erroneously) known as "the million dollar bribe." * But the account which is essentially the most accurate, as it is also the most graphic, appeared a year or two after Altgeld's death in the *Chicago Tribune*—the newspaper which had fought

* Perhaps the best known version is that contained in Theodore Dreiser's novel, "The Titan," which, with its companion volume, "The Financier," gives a vivid and brilliant picture of Charles T. Yerkes's politico-financial and amatory adventures.

him more relentlessly and vindictively than any other. This account was one of a series of anonymous political reminiscences which, according to the *Tribune's* announcement, were "based on real events." With due allowance for the writer's dramatic and colloquial coloring of those events, as also for one major and several minor errors of fact, the narrative which is reprinted here may be accepted as a truthful record. The time was the summer of 1895; the State was Illinois; the capital was Springfield; the city was Chicago; the "Empire building" was the Unity Building; the vetoed bills were known at the time as the "eternal monopoly bills"; the briber was a Chicago lawyer of high standing; and "Uncle Cal Peavey" was Governor Altgeld himself. With this explanation, the *Tribune* writer will now be permitted to tell his own story.

In all my recollection I can recall just one man who could afford to admit, without cheapening his own character, that he was subjected to a downright temptation—but he didn't admit it! And when the story leaked out after his death, there wasn't a man in the State who didn't take off his hat to the moral stamina that the Governor had shown. That little incident made the eulogies of the pulpits and the newpapers look cheap.

It happened while you were kicking a pigskin at Princeton. There never was a better campaign than the one in which Uncle Cal Peavey knocked out the machine and landed in the Governor's chair. It made a bigger rumpus than a fox in a henhouse, and there was a mighty shaking of dry bones in the fat places on the pay roll.

Almost the whole press of the State was against him, and he was hounded as an anarchist, a calamity howler, and a general enemy to society, capital, vested rights, and a whole lot of other sacred and civilized things. But Cal kept his nerve and con-

tinued to talk right out in meeting. The harder they pounded the more he showed his teeth and stuck out his bristles.

That was the winter before the United Traction's franchises expired, and a new charter was simply a ground-hog case.

Times were tighter than a February freeze. Every cent that the Governor had made in a series of nervy speculations in city real estate had been put into the big Empire building before the hard times set in. Tenants were scarcer than rats, rents fell like snowflakes, and the old man was in the hole for twice what he was worth, with big payments coming due in the course of the winter. He didn't know which way to turn, as the money market froze tighter and tighter, and it was a certainty that he stood to lose the fortune he had made in years of hard hustling, unless some unexpected stroke of Providence should come to his relief.

But he was made of stern stuff and never gave out a whimper, although he couldn't keep his condition from the wise ones on the street.

Just as he was driving ahead to the last ditch in his private affairs, the United Traction was making hay at the session. The Governor wasn't the only man in politics that winter who had been caught in the financial squeeze. Plenty of legislators were worrying over mortgages and investments—a fact that didn't escape the attention of the traction company's agents.

Although the Governor and his forces put up a strong and crafty fight against the bill, the franchise measure passed both houses by a big majority—and the men who held mortgages on the assets of the members concerned stopped worrying about payments.

Then the calcium light was suddenly shifted to the executive mansion, and the question in every mouth was "What will the Governor do?" The situation was strained up to concert pitch, and there were all sorts of speculation as to the course which Uncle Cal would pursue. Generally, however, it was agreed that there were enough votes to pass the bill over his veto and that probably, as a sensible man who knew enough to know when he

was licked, he would let the measure become a law without his signature. This was considered the proper manner for a Governor to surrender under protest when there were not enough votes at his command to sustain his veto.

A day or two after the bill had gone up to the Governor, one of the smoothest mechanics in the fine art of "fixing" ever on the confidential pay roll of the traction company dropped in at the office of the Empire building for a little chat with Mike Boylan, the Governor's business partner and general handy man.

Now Mike had knocked about town a good deal, been up as late as midnight several times, and was fairly well acquainted with the landscape in the neighborhood of the city hall; but for all that, he didn't really know that his caller was a scout of the traction company. In other words, the fellow was the man for the hour; he had just enough reputation to arouse in Mike's mind a suspicion of his connection with the company and save awkward explanations. On the other hand, he had not made himself common, so that his name was known to the members of the gang generally. In short, he was an artist, and accepted about one commission in four or five years, but made that one something handsome.

"Mike," he finally said, after they had chatted awhile, "if you're not too busy, I'd like you to do me a little favor."

"Certainly," responded Mike.

"I'd like you to introduce me to the man in charge of the safety deposit vaults of your building here. I want to get the right sort of accommodations, and if you take me in tow it will insure me proper attention from the general in command down there in the basement."

"Sure, I'll fix that," said Mike, taking his hat and wondering if it really were true that his caller was mixed up with the traction people, as he had heard.

They were starting away from the largest wall safe, or "box," when the new patron of the institution called Mike into one of the private stalls. On the table were two good fat telescope

valises. Up to that time Mike had been merely an interested spectator; but this move gave him a jolt. Could it be that the fellow had trapped him into a position that might be made to reflect on the Governor if it should ever get out?

Mike's conscience had been trained in the kindergarten of the street-paving contract business, and never swung a danger signal short of the question "Will it get out?" Nothing but that possibility presented a moral problem to him. The next semaphore which was swung by his acute spiritual sensibilities operated on the question of whether or not a certain course would bring him under the heel of the law.

"If this chap makes a straight proposition," reasoned Mike, as his companion was unstrapping the telescopes, "and it should ever get to the Governor's ears, it'll be all day with me. He'll raise my scalp."

"I hope you'll not think I'm suspicious of the boys down here," said the caller, "but I'm taking care of a whole lot of cash for a pool I'm interested in; the fellows who are with me are afraid of banks in these times and insist on planting our funds in a safe deposit vault. That puts the whole thing on my shoulders, and it occurred to me that it would be a safe precaution to ask you to come down here and check up with me the amount I'm planting —it won't take but a minute."

"You chaps going to make books on the races?" laughed Mike.

His answer was a knowing wink, and Mike heaved a sigh of relief at the thought that he was out of a disagreeable scrape in which a quarrel with the Governor was almost a moral certainty —and Mike was more afraid of old Cal than of any other being in the whole universe. In fact, the Governor had become a sort of God to Mike, although Cal didn't know it himself.

Half the packages were in thousand dollar bills, and the rest in five hundreds, so it was an easy job to check them up, according to the figures on the paper bands pinned about the packages. Mike's eyes fairly stood out of his head as he looked from the figures on his tab to the currency on the table. One million

dollars! He had never seen that much money in one heap before in his life, and his nimble, acquisitive mind began right away to figure out the things that could be done with that money. It almost stupefied him, and he made no objection when asked to help stack it away in the big wall safe.

Then they went upstairs, and the caller suddenly remembered that he had left his umbrella in Mike's private office. He got it, and started for the door, then stopped and began to draw on his gloves. Mike had not yet come out of his trance. He was still saying to himself: "A million dollars."

"You're satisfied as to the amount in the vault?" casually inquired the caller.

"Yes," absently responded Mike, writing the figures on the desk blotter.

Suddenly the keys to the big deposit drawer fell on the desk in front of him, and he heard the words:

"Well—you know what to do with these!"

For a second he stared hard at them. Then he grabbed them up and made a plunge for the door and out into the hall. But his smooth caller had gone down the stairs to the floor below, taken the elevator which served the side entrance to the building, and was gone!

From that time until Friday afternoon, when the Governor came to the city to give two or three days to his private affairs, Mike scoured the town for a trace of the man who had dumped a million dollars of bribe money into his hands. And in that time he felt more stings of conscience than he had ever known in all his life before. He was the worst scared man in the city, and it seemed to him he'd rather jump into the crater of a volcano than face the wrath of the Governor. Or could it be that under the certainty of complete financial ruin the old man was facing he might possibly weaken? And why shouldn't he take the money? He would be doing nothing for it—not so much as signing his name! Hadn't the Governor fought the bill tooth and nail? And wouldn't his failure to sign it be a protest against

it? This was just what the party and the State expected him to do; then why shouldn't he keep the money that had been thrown at him—and without a possible tracer attached?

But even Mike's moral obtuseness was not so great that he didn't recoil from the possibility that the Governor might look at the matter in this way. If it should be so, he would know that there wasn't a man on earth who couldn't be reached if all the circumstances were right.

When the Governor came in, Mike was looking uncommonly pale, but the old man was too preoccupied to notice it. His grizzled face was as haggard as if he had just got up from a run of fever, and his eyes shone with a grim, unnatural brightness.

He slumped into a big leather chair and, in a shaky voice, said:

"Mike, it's all up! I stopped in at the trust company's office on my way from the station, and they say we can't have any more time. Then I went over to the other place and threshed it out with fellows we hoped might come into the thing as a last resort. But they're scared, and nothing can move 'em to furnish the fund."

He choked for a minute, but finally continued:

"But there's one consolation. The property's worth the money, and no one'll lose a dollar. And there'll be no scandal attached. Thank God, I never wronged a man out of a cent that I know of, but it's kind of tough to see the work of years swept away in a second! And then there's the little woman at home—that's the hardest part of it!"

Then Mike knew that it was up to him to make a clean breast of the safe deposit business—and he did it, too.

The eyes of the old man seemed to bore Mike right through as the story came out in a shaky voice. For a minute or two the old Governor sat with his chin resting in his hands, the muscles of his face twitching like a spider's legs.

But it was all over in a minute. Slowly rising to his feet, the old man pointed his long bony finger at Mike and, in a voice that had the grit of iron in it, he said:

"Young man! I'd advise you to take better care of that damned scoundrel's money than you ever did of any money in your life."

That night the Governor wrote a veto message on the traction bill that fairly scorched the rails of the line. Then he called in the real scrappers in his political camp and began a fight against foregone defeat that ripped up the whole State and made history. He didn't stop at anything that came under the head of things "fair in love or war." Before the fight was finished he was forced practically to kidnap two or three weak-kneed members of the opposition and take them out of the State. And there were a few others that had to be given a close-range view of the penitentiary before they experienced a change of heart. But when the vote on the veto was taken the old Governor won out by three votes—and he celebrated the triumph by surrendering to his creditors and backers all the property that he had accumulated in fifty years of harder work than a stone-breaker ever put in.

In less than three years from then I acted as pall-bearer at Calvin Peavey's funeral, and joined in a subscription to buy the widow a home.

That's the sort of moral backbone that is entitled to flowers, according to my notion. And there isn't much of anything short of that brand that is. When I go in for hero worship, I'm going to cap my shrine with a bust of honest old Cal.

The major error of fact in this picturesque narrative is that the bribe offered was not one million dollars, but half a million only. Altgeld's intimate friend, Hon. S. P. McConnell, tells in his unpublished reminiscences of visiting Springfield as an emissary of Yerkes soon after the passage of the bills, for the purpose of urging their acceptance upon the Governor, and of being informed by the latter that he had been offered five hundred thousand dollars if he would sign the bills. Confirmatory evidence on this point is also supplied by a later Governor of Ill-

inois, Hon. Edward F. Dunne, who writes: "After Altgeld had retired from the Governor's office, I remember one day taking lunch with him, when he was in almost abject poverty, and I took occasion to voice my admiration for his courage in turning down a bribe of a million dollars offered to him while he was Governor, to which he responded: 'You do me honor overmuch—the consideration offered was not a million, but half a million.'" The exact amount of the initial bribe, however, is of small significance. So valuable were the special privileges involved in the monopoly bills that the traction and gas interests at Chicago could well afford to pay millions, if necessary, to secure what they wanted. Governor Altgeld had but to say the word, and undoubtedly the stakes would have been raised to several times five hundred thousand dollars. From beginning to end, money was spent like water in connection with the bills, first in getting them through the legislature and then in attempting to over-ride the Governor's veto. This latter was managed with ease by the senate "combine," and in the house only a few votes of the necessary two-thirds were lacking. Brand Whitlock, in his "Forty Years of It," has drawn an unforgettable picture of that supreme effort on the last night of the legislative session of 1895, when the vetoed bills were before the house and "evil hung almost palpably in the hot, close air of that chamber" with its din and riot and shamelessness, its haggard leaders of both parties fighting for the bills to the last ditch, its clock turned back to give the lobbyists further time for bargaining with recalcitrant members before the final roll-call—and the Governor over in the executive mansion sitting up long into the night to await the assembly's action. The market price of votes on that occasion is not

definitely known; but when the speaker of the house died, shortly after the session had closed, a large sum in new thousand dollar bills was found in his safe deposit box.*

In its base and sordid aspects, this episode is perhaps no more than typical of many similar episodes in American public life during the heyday of "invisible government." But it differs from most of the others in that it was redeemed, and more than redeemed, by the moral integrity of one man—a man who was despised and rejected of the powerful because of that very moral integrity, which compelled him to follow the ways of justice and mercy and honesty in a time when those virtues were rankly heretical to the reigning priests of politico-financial authority. Once, in commenting upon the career of Chauncey M. Depew, Altgeld had framed an eleventh commandment: "Go thou and do evil that thou may live on the fat of the land, and that thy sleekness may be the wonder of men." Had Altgeld chosen to follow this commandment, had he made terms with the Chicago monopolists after the approved political fashion of his day, he could have retrieved his shattered personal fortune and himself become one of the over-lords of finance. He might have made his way, in the usual succession, from the Governor's chair to a seat in the United States Senate, with its immensely larger opportunities for the practice of his commandment. He might have retired at last, after a long term of "public service," to an affluent and a benign old age, and been interviewed by obsequious reporters on many rosy birthdays. "And the devil said

* The story called "What Will Become of Annie?" in Brand Whitlock's volume, "The Gold Brick," is obviously based on this last-named circumstance; while the scenes in the house when the Governor's veto was up for action are described in "Henderson of Greene," another story in the same volume.

unto him, All this power will I give thee, and the glory of them: for that is delivered unto me, and to whomsoever I will I give it. If thou therefore wilt worship me, all shall be thine."

The public never knew from Altgeld's lips, or indeed from *any* source until after his death, that he had been taken up into a high mountain and shown the kingdoms which might have been his for a certain consideration. But it was known well enough in the camp of privilege, and to the dwellers therein his veto of the "eternal monopolies bills" was an offense less forgivable even than his freeing of the "anarchists." Privilege has good reason to hate and fear honesty even more than it does justice and mercy. And so, when its opportunity came, it drove Governor Altgeld from office with hoots and jeers and hisses. He had entered that office a rich man; he left it poor, ruined in everything save his own moral integrity.

CHAPTER XXIII

PARDONS AND VETOES

In the nation-wide outburst of rage and resentment occasioned by Governor Altgeld's pardon of the Chicago "anarchists," one who knew nothing of the facts might easily have imagined that the Illinois executive had released upon society the entire population of Joliet penitentiary, instead of merely restoring their freedom to three obscure and harmless workingmen who had suffered the frightful injustice of seven years' imprisonment for a crime with which it had never been proved that they were even remotely connected. This notion of a general jail delivery, not of course as an accomplished fact but as an always imminent possibility, is just what the press sought most indefatigably to instill into the public mind. Notably in the anarchist case, and to lesser degree in almost every subsequent pardon granted by Governor Altgeld, they held him up before the country as a confirmed friend of lawlessness, an official ally of the criminal classes, one who would condone any offense however heinous, and go to any lengths to shield the offender from just retribution. And incredible as it seems in the retrospect, the press was largely successful in getting this picture accepted as an accurate likeness. The superstition still survives that no other Governor of Illinois, indeed no other American executive invested with the pardoning power, ever made such free and reprehensible use of that power as did John

P. Altgeld. Out of this superstition originated the nickname, "John Pardon Altgeld," once a much-used expression of derision and reproach among the pagan hordes who despise mercy. In 1895 a double lynching at Danville, Illinois, was said to have been inspired by the fear that Governor Altgeld would pardon the prisoners if the law were allowed to take its course. Possibly the austere devotees of justice who took part in this little affair were not quite so certain of their motive as were those newspapers which almost gleefully condoned their action because of the opportunity it afforded of scourging a favorite scapegoat. But the motive ascribed, whether it really actuated the mob-murderers or was an invention of their journalistic apologists, seemed reasonable enough to a great many people.

Save for that violent reaction of public opinion in the anarchist case, Governor Altgeld would undoubtedly have exercised the pardoning power much more freely than he did. He might even have approached, in this respect, the records of some of his predecessors in office—Governor Cullom, for instance, or even Governor Beveridge, whose yearly average of pardons granted, in relation to the yearly number of prisoners in the two State penitentiaries, was nearly three times greater than Governor Altgeld's. That ruthless system by which, in the name of justice, society endeavors so blindly and futilely to protect itself from the evil consequences of its own collective indifference to justice, had been Altgeld's particular study for many years. And even had he lacked a thorough understanding of our vicious penal system, his broad human sympathies and love of justice would naturally have led him much further than most executives care or dare to go in repairing the grosser injuries which society inflicts

upon its weak and unfortunate. But in a mood of bitter revulsion, while the storm evoked by his anarchist pardons was at its height, he had said to Brand Whitlock: "I will not pardon any more. The people are opposed to it; they do not believe in mercy; they love revenge; they want the prisoners punished to the bitterest extremity." Something of that mood seems to have persisted as long as he was Governor; and though it never deterred him from granting a pardon on the grounds of simple justice, its chilling shadow must have interposed on many occasions when only the exercise of mercy was involved. At any rate, whether for this reason or for others, Governor Altgeld's record in the matter of pardons and commutations granted is much more conservative than that of several of his predecessors and successors. According to the figures contained in his biennial message to the State legislature in 1897, during the two decades preceding his administration the average yearly number of pardons and commutations issued by Illinois Governors was a fraction under eighty-four. The average yearly number of convicts in the two State penitentiaries during this period was 1868; so that, on an average, four and one-half per cent of the prisoners were pardoned or had their sentences commuted each year from 1872 to 1892. During the four years of Governor Altgeld's administration, the average yearly number of pardons and commutations granted was seventy-nine. But by this time the average yearly number of convicts in the State penitentiaries had increased to 2201—so accurately, in spite of "the incessant grinding of society's machinery of vengeance," do the populations of prisons keep pace with the growth of populations outside. Therefore the average annual percentage of pardons and commutations granted by Gover-

nor Altgeld, in relation to the average annual prison population, was only three and three-fifths per cent. In other words, the yearly average of pardons and commutations granted by Altgeld during his four-year term, considered in relation to the average yearly prison population, fell twenty per cent below a similar average for the preceding twenty-year period.

Such are the essential facts concerning the wholesale jail delivery effected by "John Pardon Altgeld," friend and benefactor of the criminal class. The facts in themselves, as he said when presenting them, call for neither praise nor blame. In the matter of pardons and commutations, a conscientious executive is not free to act merely from personal predilection; if he were, Governor Altgeld's record in this respect would undoubtedly have been a more liberal one. But it is something to have gained the reputation of being unduly merciful, even if one does not altogether merit it. Lincoln, also, was bitterly berated in his lifetime on the score of giving immoderate aid and comfort to the outcast, Mercy; and Altgeld might well have thanked his detractors for placing him, in one respect at least, with such noble company.

Two incidents connected with Governor Altgeld's exercise of the pardoning power, rescued from the scanty personal reminiscences of his contemporaries, are of sufficient interest to warrant reproduction in this chapter. The first is a pitiful little tale from Brand Whitlock's "Forty Years of It."

A few weeks after the pardons had been issued to the anarchists, George Brennan of Braidwood, then a clerk in the State House, told me a moving story of a young man of his acquaintance, who was then confined in the penitentiary at Joliet. The young man

was dying of tuberculosis, and his mother, having no other hope than that he might be released to die at home, had made her appeal to Brennan, and he had seen to the filing of an application in due form, and now he asked me if I would not call the Governor's attention to it. I got out the great blue envelope containing the thin papers in the case—they were as few as the young man's friends—and took them over to the Governor, but no sooner had I laid them on his desk and made the first hesitating and tentative approach to the subject, than I divined the moment to be wholly inauspicious. The Governor did not even look at the papers, he did not even touch the big blue linen envelope, but shook his head and said:

"No, no, I will not pardon any more. The people are opposed to it; they do not believe in mercy; they love revenge; they want the prisoners punished to the bitterest extremity."

I did not then know how right he was in his cynical generalization though I did know that his decision was so far from his own heart that it was no decision at all, but merely the natural human reaction against all the venom that had been voided upon him, and I went away then, and told Brennan that we must wait until the Governor was in another mood.

Three or four days afterward I met the Governor one morning as he was passing through the rotunda of the State House, his head bent in habitual abstraction, and seeing me in what seemed always some subconscious way, he stopped and said:

"Oh, by the way: that pardon case you spoke of the other morning—I was somewhat hasty I fear, and out of humor. If you'll get the papers I'll see what can be done."

I knew of course what could be done, and knew then that it would be done, and I made haste to get the papers, which had been kept on my desk awaiting that propitious season which I had the faith to feel would come sooner or later, though I had not expected it to come quite so soon as that. I already anticipated the gladness that would light up Brennan's good Irish face when I handed him the pardon for his friend, and I could dramatize the scene in that miner's cottage in Braidwood when the pardoned

boy flew to his mother's arms. I intended to say nothing then to Brennan, however, but to wait until the pardon, signed and sealed, could be delivered into his hands, but as I was going across the hall to the Governor's chambers I encountered Brennan, and then of course could not hold back the good news. And so I told him, looking into his blue eyes to behold the first ripple of the smile I expected to see spread over his face; but there was no smile. He regarded me quite soberly, shook his head, and said:

"It's too late now."

And he drew from his pocket a telegram, and, without any need to read it, said:

"He died last night."

I took the papers back and had them filed away among those cases that had been finally disposed of, though that formality could not dispose of the case for me. The Governor was waiting for the papers, and at last when the morning had almost worn away I went over to his chambers to add another fardel to that heavy load which I had thought it was to be my lot that day to see lightened in the doing of an act of grace and pity. I told him as he sat alone at his desk, and the shade of sorrow deepened a moment on his pale face; but he said nothing, and I was glad to go.*

The second incident is described in an article about Altgeld contributed soon after his death to a Chicago newspaper by his Secretary of State, William H. Hinrichsen.

Many of the pardons he granted were the result of sympathy for a mother, wife, sister, or daughter of the condemned; and in such cases he used to laugh at the criticisms of the press. I remember one day an old woman came to the state house to plead for a pardon for her son, a worthless, vicious youth who had been

* Some phases of this episode are utilized in Brand Whitlock's story, "The Pardon of Thomas Whalen," contained in his volume entitled "The Gold Brick."

sentenced to prison for larceny. She was a Pole, I think, and spoke very imperfect English. The Governor was absent, but I met her in the corridor and she told me her pitiful story. When the Governor returned I sent her to him. Half an hour later, having some business with him, I entered his office without knocking and found him and the old lady weeping together. He was trying to comfort her, and had ordered a pardon issued for her scamp of a son. He seemed somewhat ashamed of his emotions, and said half in apology:

"It is a bad law that punishes a parent for the sins of a child."

The same week he absolutely refused to interfere in the case of a man condemned to hang for choking his mistress to death. The man had powerful and influential friends, and they attempted to show that the condemned had no murderous intention, that he had frequently choked the woman without serious injury to her, and that there was no motive for the murder. After an all-day argument the Governor declined to interfere, and closed his decision with these words:

"He choked her once too often."

In several of his pardon messages Governor Altgeld took occasion to discuss some public evil or abuse more or less closely connected with the particular case in which executive clemency was being granted. This use of the pardoning power for propagandist ends, as his opponents termed it, evoked some of the angriest criticism directed against the Governor. It was all very well, perhaps, to let a poor devil out of the penitentiary now and then, provided he was sufficiently repentant; but to imply that the pillars of society were in any faintest degree responsible for crime-producing conditions was an insult not to be borne. Aside from the anarchist case, perhaps the most hotly resented pardon message issued by Governor Altgeld concerned the case of a young man who, while employed as assistant cashier by the *Chicago Tribune*,

had embezzled some $13,000 of the newspaper's funds. After serving nearly half of a four-year penitentiary sentence, he was released by the Governor for reasons which would no doubt seem sufficient to any just and humane person. These reasons were fully cited in the Governor's pardon message, which then concluded with the following paragraph:

There is another point suggested by this case, and that is how far the integrity and sense of right of young men employed in some large money-making establishments is undermined and weakened by a knowledge of the fact that their employers are gaining large sums of money which, while not always obtained by criminal means, nevertheless in equity and good conscience do not belong to them. This young man had charge of the financial department of the Tribune Company. He knew that the Tribune Company rented ground of the Chicago school fund and, instead of paying a fair cash annual rental on it, had managed to get things so fixed that it pocketed in the neighborhood of $25,000 a year of money which ought to have gone to the school fund. He also knew that, while the Tribune had a cash market value of upwards of three millions of dollars and should have been assessed for purposes of general taxation at not less than $600,000, the company had managed things so that it was actually assessed at only $18,000; and he saw that it annually pocketed in the neighborhood of $40,000 which should have gone into the public treasury as taxes if the Tribune Company had paid the same proportion of taxes on its property that other people paid on theirs. In other words, he saw that the Tribune Company annually pocketed upwards of $60,000 which, in equity and good conscience, should have belonged to the public treasury; and he saw that, notwithstanding this fact, the owners of the Tribune were eminent and highly respected citizens. The natural effect of all this was to weaken the moral force of the young man, as well as his sense of integrity. There is no question but that similar conditions exist

in other large offices, and while this cannot be any excuse for the commission of crime by employees, it is a fact that is to be deplored, and some remedy should be found.

The reaction to this stinging indictment of the most powerful newspaper in the middle west may readily be imagined. Not the *Tribune* only, but three other Chicago newspapers were at this time holding leases to school lands on terms of the same nature, and these three lost no time in swelling the outcry raised by their insulted and injured colleague. For weeks the journalistic welkin rang with vituperation of Altgeld and all his works. But the Governor had accomplished his purpose of focusing public attention upon a scandalous condition.

As an obvious rebuke to the "friend of criminals" and "champion of lawlessness," the peerless Republican statesman who succeeded Governor Altgeld in 1897 recommended in his first general message to the State legislature the creation of a board of pardons, "to assist the Governor in the exercise of the power and to remedy some of the abuses that have grown up in connection with it." A board of three members, appointed by the Governor and senate, was accordingly created by legislative act. Although the pardoning power is left precisely where it was before, as stipulated in the State constitution, the board has proved decidedly useful in relieving the Governor of preliminary investigations and hearings on applications for pardons or commutations.

It is very commonly held that the gentler and more pliant (or as some would express it, the weaker) qualities of an executive are revealed in his use of the pardoning power, while the sterner and tougher stuff that is in

him appears in his exercise of the veto. This assumption is of course only roughly and partially true. The highest form of courage may sometimes be required in granting a pardon, where a united or nearly united public opinion must be braved; and legislative measures are often vetoed for no other reason than a cowardly fear of the electorate. But one need not put too fine a point upon a generalization that is perhaps accurate enough in a broad and relative sense. In his standard work on "The American Commonwealth" (which, by the way, does not mention the executive function of granting pardons), James Bryce remarks that "the use of his veto is, in ordinary times, a Governor's most serious duty, and chiefly by his discharge of it is he judged." "The merit of a Governor is usually tested by the number and the boldness of his vetoes." An executive's "bold use of his veto power conveys the impression of firmness; it shows that he has a view and does not fear to give effect to it." That a Governor may often successfully appeal "to the people for reelection on the ground that he had defeated in many and important instances the will of their representatives solemnly expressed in the votes of both Houses is due not only to the distrust which the people entertain of their legislatures, but also, to their honor be it said, to the respect of the people for courage. They like above all things a strong man."

In the light of Governor Altgeld's experience, some of these statements are rather open to question. Few executives of any State have made a freer and bolder use of the veto power than he. No Governor of Illinois, before or since his time, has been more resolute in protecting public interests against the scheming of corrupt legislatures. During the first session of the Illinois gen-

eral assembly after the adoption of the new constitution in 1870, Governor Palmer disapproved eleven bills. Between this time and Governor Altgeld's administration the veto power was used very little; in only three legislative sessions (those of 1873, 1877, and 1889) did the number of vetoes reach five. Governor Altgeld disapproved twenty-three bills in all—twelve during the legislative session of 1893 and eleven during the session of 1895. During the three sessions immediately following his retirement from office, the number of bills vetoed fell below ten for each session.*

Of course, in matters of this kind, mere statistics tell but an incomplete and imperfect story. Yet taking them for what they are worth, they show that Governor Altgeld made what was (comparatively, at least) an unusually free use of the veto power. If, as James Bryce believed, "the merit of a Governor is usually tested by the number and the boldness of his vetoes," one can only say that no such test was ever applied to Governor Altgeld by the general public. If the American people really respect the firmness, courage, and strength required to defeat the will of legislatures, one can only admire the skill with which they were able to conceal their sentiment in Altgeld's case. When he spurned a bribe of half a million dollars and vetoed the "eternal monopoly bills," in defiance of a bought and paid for legislature, that public which "likes above all things a strong man" was for the most part silent. Throughout his administration, and afterward, his veto record was virtually ignored; while his pardon record, as conservative in fact as the other was liberal, constituted the theme for endless anathemas and personal vilification.

* See Niels H. Debel's "The Veto Power of the Governor of Illinois."

CHAPTER XXIV

ALTGELD AND THE SILVER QUESTION

THE first two years of President Cleveland's second administration constituted a period of little but misfortune for the American people, and brought little but discredit to the Democratic party. Scarcely had the administration got under way before the terrible financial storm of 1893 broke upon the country. Fatuously ascribing this panic principally to "the purchase and coinage of silver," President Cleveland forced a reluctant Congress in special session to repeal the Sherman Silver-Purchase Act of 1890, using methods which aroused the wrath of civil service reformers and divided his party. The President's courageous though impolitic efforts to defeat the Hawaiian annexation plot incensed the jingo elements in both political parties. Then, early in 1894, came the fiasco of the first bond issue and the beginnings of that dubious governmental alliance with Wall Street which wrecked the President's reputation throughout the West. The far more serious fiasco of the Wilson tariff bill followed, with its odious background of senatorial sugar scandals, predatory lobbying, and base partisan squabbling, and its general betrayal of Democratic pledges—a betrayal in which, to his honor be it said, President Cleveland had no part. Finally came the disastrous railway strike of 1894, in which the administration's autocratic action, delightful as it was to the

press and the employing class, bitterly affronted organized labor.

At the first opportunity, which came in the "off year" elections of November, 1894, public opinion gave expression to its accumulated grievances in a Republican landslide which swept nearly every section of the country. In Illinois the Congressional contests resulted in a choice of twenty Republicans and two Democrats; the Republican candidate for State treasurer received a majority of nearly 150,000 votes; and a scant Democratic control in both houses of the State legislature was converted into a formidable Republican majority. By this latter circumstance, Governor Altgeld's difficulties were enormously increased during the last two years of his term. The State legislature which convened early in January, 1895, was not merely hostile to every measure which he favored, but it was corrupt to a degree altogether unusual even in that era of corruption. This is the legislature which, under orders of the Chicago traction and gas rings, enacted the "eternal monopoly bills" and all but re-enacted them over the Governor's veto. No important creative legislation was passed at this session. In an effort to embarrass the Democratic administration, however, heavy appropriations were voted which exceeded by a very large sum the estimated revenues of the State for the biennial period of 1895–96. Governor Altgeld's answer to this manœuvre was a proclamation calling the legislature into special session on June 25 to authorize a tax levy sufficient for the appropriations voted, and to enact other much-needed legislation. After a long delay an additional tax levy was authorized which, however, still left a deficit of something more than a million dollars for the adminis-

tration to cope with; and of the other measures recommended by the Governor, only one (the industrial arbitration act) was passed.

So strongly was the tide of popular sentiment running against the Cleveland administration in 1895 that the common Republican boast of being able to elect even a "yellow dog" or a "rag baby" in the next year's Presidential contest seemed not unwarranted. It was obvious enough, at any rate, that the only possible hope of the Democrats lay in adopting some new battle-cry of sufficient urgency to unite the now disrupted party and also if possible to draw from the strength of their opponents. In view of what had happened to the Wilson bill at the hands of Democratic Senators, the specious issue of tariff reform would no longer serve; and the two parties were as yet at variance on no other question of importance. But events outside the factitious realm of politics had long been shaping an issue which neither party could now longer ignore, much as it might wish to do so. That issue was the silver question.

Until 1873 both gold and silver had always been traditional American coins, and either metal might be taken by anyone to a United States mint for coinage into standard dollars at a ratio of sixteen parts silver to one part gold of equal fineness. By 1873, however, the immense production of silver had cheapened the market value of that metal; the price of silver was continually falling and fluctuating, and the old ratio of coinage was no longer an accurate expression of relative value. Under a Congressional act of 1873, silver was demonetized and the single gold standard adopted by the United States. Meanwhile, the production of gold remained at the best stationary, so that the value of the gold dollar

appreciated as the supply of that metal shrank in proportion to the rapid growth of population. Under this "contraction of the circulating medium," prices, being measured in terms of gold, continually fell, while debts incurred under the double standard system were now payable in dollars of a greater intrinsic value than before. Widespread discontent with this condition, particularly in the West and South, and the agitation of silver-mine owners who desired a restored market for their product, resulted in the Bland-Allison Act of 1878 (passed over President Hayes's veto by a Democratic House and a Republican Senate), providing for a resumption of silver-dollar coinage in an amount of not less than two and not more than four million dollars a month. During the next six years silver maintained its value, as measured in terms of gold, in the old ratio of 16 to 1; but in 1885 depreciation again set in, and the ratio had become 22 to 1 by 1889. Throughout his first term President Cleveland repeatedly urged the suspension of further silver coinage. Nevertheless, national industry continued to expand as the silver coinage increased in volume year after year, and the gold balance was not unfavorably affected. But while industry was prospering, the prices of western and southern agricultural products steadily declined. The western silver-mine owners, also, were still unsatisfied, and demands for "free coinage" filled the political atmosphere. After long wrangling and many compromises, the efforts of a Republican Congress to "do something for silver" resulted in the so-called Sherman Act of 1890, repealing the Bland-Allison measure and requiring the government to purchase each month 4,500,000 ounces of silver and to issue against it legal tender notes redeemable on demand in "coin"—

impliedly, either gold or silver, at the discretion of the Secretary of the Treasury. This Act, while it alarmed the financiers, did little toward propitiating the "free silver" elements, who now controlled the new and vigorous People's party or "Populists" and were strongly represented in both the major political parties. Silver, moreover, continued to decline in relation to gold, the ratio standing at 26.49 to 1 in 1893.

Although the silver question overshadowed all others during the early nineties, opinion was so evenly divided within the Republican and Democratic parties that neither dared to bring the issue sharply to the front. In the Presidential campaign of 1892 both platforms were evasive on the subject. Only the despised Populists faced the question boldly by declaring for "the free and unlimited coinage of silver at the present legal ratio of 16 to 1." By denouncing the Sherman Act as "a cowardly makeshift," the Democrats endeavored to placate gold and silver elements alike. But the financial panic of 1893, the Sherman Act repeal in that year, and the bond sales scandals of 1894 made further dodging and straddling very difficult for either party. "Free silver" sentiment was sweeping across the West like a prairie fire, obliterating the old party lines and arousing an almost fanatical enthusiasm. Even in the conservative East the fire smoldered vigorously. Silver conventions and bimetallic conferences were held throughout the country; organizations representing every shade of opinion on the currency question sprang into being. The politicians, eager as always to avoid any issue upon which public opinion is widely and strongly aroused, were in a quandary. While neither main party was prepared to take the risk involved in an open espousal of "free silver,"

neither was yet willing to concede to the other a "plank" of such manifest popularity. Gradually, however, and almost in spite of themselves, the two parties became aligned on opposite sides of the question, although the issue was not definitely and decisively joined until the national Presidential conventions of 1896 had adjourned.

Judging from the available records, Governor Altgeld seems to have taken no conspicuous interest in the currency question until early in 1895. His collected speeches and writings contain only two or three direct references to the subject before that year. In a brief statement solicited by a New York journal during the summer of 1893, he attributed the financial panic then prevailing to an insufficient volume of currency, placing blame for this condition upon the silver demonetization act of 1873. Touching upon this same matter in a speech of October, 1894, he said: "I have nothing to say for silver or for any other kind of money. I am only speaking of the effect upon the industries and commerce of the world of reducing the volume of money in the world." But as the question began to emerge as an inescapable political issue, his attitude became more definite. During the spring of 1895 he warmly supported a proposed "silver convention" of Illinois Democrats to be held in June for the purpose of ascertaining party sentiment. Writing to Governor Stone of Missouri in this connection, he said:

> More than one-half of the Republicans of our State are outspoken and active free-silver men, and if our party takes a firm position on this subject and the Republican party straddles the question, as it will be obliged to do, we will sweep the country and achieve a greater victory than we ever have. On the other

hand, if this agitation dies out and our convention next year straddles the money question and leaves us in a position where we stand for nothing, then I can see no object in the world in even making a campaign, for there will not be enough left of us to bury the dead when the fight is over.

At the time this was written, however, neither Altgeld nor anyone else could say precisely what the "firm position" must be that was to prevent an overwhelming Democratic defeat in the elections of 1896. The Republican nominating conventions preceded the Democratic; and if more than half of the Illinois Republicans were "outspoken and active free-silver men," there was at least a very good chance that the State Republican party would declare for "free silver." No less than ten Republican conventions in other States did indeed embody such a declaration in their 1896 platforms. It was even possible that the national Republican convention might adopt a silver plank. In that event, nothing would be left to the Democrats but to rally their broken forces to the gold cause. While "free silver" sentiment had perhaps a larger and firmer hold in the Democratic party than in the Republican, the national Democratic administration was almost wholly a "gold bug" affair. Such Democratic leaders as Altgeld might scourge President Cleveland as fiercely as they pleased; revolting groups within the party might repudiate his leadership; nevertheless, adherence to the single gold standard was still definitely associated in the public mind with Democratic policy. That association, though it brought little aid and comfort to the majority of Democrats, yet served to prevent Republican leaders from following what would no doubt have been their natural preference for the gold

side of the currency question. "Free silver," at any rate, was a most alluring maiden, whatever the sour spinsters of Wall Street might say to her discredit; and both parties began a vigorous flirtation with her, leaving the final declaration of intentions to come when necessity decreed. In view of the hopelessly tangled political situation, and the prevailing ignorance of politicians and general public alike in regard to the currency question, this was perhaps the only safe strategy.

During the early months of 1896 the situation began to clarify somewhat. As far as Illinois was concerned, it seemed probable enough that the Democratic party would stand with Governor Altgeld and declare for "free silver," although a gold standard minority within the party was extremely active. At a meeting held about the middle of April, this minority endorsed Altgeld's administration and advocated his reelection. The Governor at once denounced this action as a political ruse, intended to deceive his friends, and added:

> As I am not a candidate for Governor or any other position, I do not want the indorsement of anybody. Even were I a candidate and anxious to be elected, I would not for a hundred Governorships stifle my convictions on so momentous a question as that which lies at the bottom of our miseries. . . . The continuation of the single gold standard means the permanent degredation of the great toiling and producing masses of this country, and I shall do what little I can to prevent this. I shall do what I can to restore the free coinage of gold and silver exactly as it stood when a Republican Congress corruptly struck down silver.

On May 16 Governor Altgeld delivered in Chicago a long and carefully prepared "non-partisan" speech on the money question, examining the entire subject in de-

tail and quoting freely from many prominent advocates of bimetallism. Here, again, he attributed the financial depression to "the great reduction in the volume of money in the world, incident to destroying silver as a money metal." By way of remedy, he advocated immediate restoration of free gold and silver coinage according to the old standard of 16 to 1. This ratio, he argued, need not be a permanent one, but it was necessary as a first step toward getting out of the woods and back on to the highway. If a fairer ratio could be devised later, every reasonable bimetallist would accept it. But "it would be manifestly wrong to adopt the present market ratio, which is the result of giving gold a monopoly of the money function in the world and of demonetizing silver by law." While in hearty accord with those who wanted an international agreement on the money question, he felt that "we must relieve our people, whether the other nations come or not. Inasmuch as our government led the way in striking down silver, it should lead the way in restoring it, and it can in the very act of restoration make such trade regulations as will compel those nations which desire to trade with us to enter into an agreement with us on the money question."

Meanwhile, the Republican State convention had met at Springfield, and had straddled the currency issue just as Altgeld predicted that it would. Its platform declared opposition "to any and every scheme that will give to this country a currency in any way depreciated or debased or in any respect inferior to the money of the most advanced and intelligent nations of the earth. We favor the use of silver as currency, but to the extent only and under such restrictions that parity with gold can be maintained." After cleansing their bosoms of this perilous

stuff, and nominating John R. Tanner for Governor, the exhausted statesmen retired from the field. Tanner's nomination, it should be noted, was a direct sequel to the defeat suffered by Charles T. Yerkes, when his "eternal monopoly bills" were vetoed by Governor Altgeld in 1895. Altgeld's veto had shown that the old "system" was not in good working order. "Yerkes, a great man in his class, set about making it go. In a quiet 'business-like' way he 'favored' John R. Tanner for Governor on the Republican ticket for the election of 1896. Tanner came as near being a State boss as any man in Illinois politics, and he was 'safe.' He was nominated." This bit of politico-financial history is from Lincoln Steffens's "The Struggle for Self-Government." A writer in *The Outlook* puts the matter a little more explicitly: "Angered at the defeat of his project, Mr. Yerkes decided to name the next Governor of the State himself and thus be sure of having a man who would carry out his wishes; and in this he succeeded."

The Democratic State convention assembled at Peoria on June 23. A few days before, the national Republican delegates at St. Louis had cast their die for the single gold standard, and there could now be little doubt as to what course the Democrats would follow. In his speech at the opening of the Peoria convention, Governor Altgeld dismissed the tariff issue as a political "dead horse," and urged that the Democratic party could only hope for success by waging a clear-cut campaign for the remonetization of silver. On this all-important question, Democrats "must speak with no uncertain sound. Hedging renders a party impotent, reduces it to a mere office-getting machine, and makes it contemptible. . . . We must state our position clearly, and live up to it." In

the matter of ratio, he pointed out that while theoretically the bimetallic system does not depend on any particular ratio, a specific declaration on this point was necessary "in order that we may not lose the fruits of victory in case we win, and no man having suggested anything better, the only thing for us to do is to declare for that historic ratio [16 to 1] under which we prospered and which is in harmony with our whole financial system." At the close of his speech he made it perfectly clear that he had no wish to be renominated for a second term.

I am not in a condition to stand for re-election. My health has been so badly broken that it is necessary for me to get out of the intense strain that I have been under for several years. Again, at the time of my election I had large property interests, but was greatly in debt. Since then property has been constantly shrinking in value and becomes less and less productive. This, added to the fact that I have had to neglect my affairs to some extent, has reduced me to a situation where I am not financially able to make a campaign, and where justice to my creditors requires that I should give my time to my own affairs rather than to the public. I have no desire to be rich, but I must try to give every man his due. I have given the public four of the best years of my life, and have done the best I could.

I do not desire to longer hold office. I believe in the potency of the successful private individual, and if I could have my choice should choose that path. I have no ambition to be a party leader or to be prominent in politics. I am not unmindful of the honor the Democratic party has conferred on me, and I am ready to do what I can to serve my country; but I must ask that some one of the many able and patriotic men in the party be placed at the head and that I be permitted to retire.

Notwithstanding this declaration, Governor Altgeld was renominated by a large majority, and the convention

voted unanimously for a platform which demanded "the immediate restoration of the free and unlimited coinage of both gold and silver at the ratio of 16 ounces of silver to 1 ounce gold of equal fineness, with full legal-tender power to each metal, without waiting for or depending on any other nation on earth." Shortly after the convention closed both the ticket and the platform were endorsed by the People's party of Illinois.

CHAPTER XXV

THE NATIONAL CONVENTIONS OF 1896

LONG before the national Republican delegates assembled at St. Louis in June, 1896, William McKinley had been virtually selected as the party's presidential candidate. Two main considerations dictated this choice. Republican leaders were still hoping against hope that the battle of 1896 might be reduced to the usual Tweedledum and Tweedledee hair-pulling over the tariff "issue," in which event McKinley would of course be the "logical" standard-bearer. Meanwhile, it was necessary to keep an anchor to windward by "favoring" a candidate whose record on the currency issue was sufficiently muddled to alarm neither the gold men nor the silver men within the party, but who yet might be depended upon to follow party lead in either direction if further straddling on this issue should prove impossible. As a member of Congress, McKinley had in 1877 and 1878 voted for "free silver," for the Bland-Allison bill and for its passage over President Hayes's veto. In 1890 he supported the Sherman Silver-Purchase act, declaring it to be the next best thing to free coinage. "I am in favor of the use of all the silver product of the United States for money as circulating medium," he wrote at that time; "I would have silver and gold alike" (whatever this means). A year later, however, while running for Governor of Ohio, he denounced independent free coin-

age of silver. During the months just preceding the Republican convention of 1896, though many sought the Canton oracle, its lips were locked on the currency question. Not until the cat finally jumped at St. Louis did anyone (least of all, perhaps, McKinley himself) know where the "logical Republican candidate" stood with reference to that question. To the very last he cherished a pathetic hope that he would be permitted to centre his campaign on the tariff; * and in this hope both he and the Republican rank-and-file were encouraged by Mark Hanna, the tutelary god of the Canton "man of destiny." But Mark Hanna was himself no lost babe in the political woods. He had long realized that the currency question was bound to be uppermost in the 1896 campaign, and he had decided that the Republican convention should declare for the single gold standard. It did. The party platform, as read to the St. Louis convention on June 18, contained this plank:

> The Republican party is unreservedly for sound money. . . . We are unalterably opposed to every measure calculated to debase our currency or impair the credit of our country. We are therefore opposed to the free coinage of silver, except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote; and until such agreement can be obtained, the existing gold standard must be preserved. All our silver and paper money must be maintained at parity with gold; and we favor all measures designed to maintain inviolably the obligations of the United States, and all our money, whether

* "During a conference, probably before Bryan's nomination, McKinley said, 'I am a Tariff man standing on a Tariff platform. This money matter is unduly prominent. In thirty days you won't hear anything about it.'" J. F. Rhodes's "The McKinley and Roosevelt Administrations," page 19.

coin or paper, at the present standard, the standard of the most enlightened nations of the earth.

The dramatic withdrawal of thirty-four silver delegates, led by Senator Teller of Colorado, followed soon after the reading of the platform. McKinley was then nominated for the Presidency by an overwhelming vote, with Garret A. Hobart as running mate; and the convention adjourned. "American politics will reach a low ebb when Mr. McKinley is nominated for President," wrote the editor of *Harper's Weekly* in his issue of June 20, 1896. "The nation's honor must be preserved" (by the election of McKinley) was the mast-head slogan in every issue of this same periodical throughout the following campaign.

While the Republican convention had met at St. Louis with a predetermined candidate but without a definite policy on the foremost issue of the day, the national Democratic convention assembled at Chicago on July 7 with a predetermined policy on that issue but without a candidate. By July 1, thirty-three of the fifty State and Territorial Democratic conventions had declared for free silver coinage at the ratio of 16 to 1, and their delegates to the national convention were pledged accordingly. Quite aside from this fact, however, the Republican currency plank adopted at St. Louis left the Democrats virtually no choice save an active alliance with the Populist party in behalf of silver. But the candidate was still to seek; although Richard P. Bland of Missouri, a veteran worker in the silver cause, was generally favored. The situation was accurately summed up by a correspondent of the *New York World,* organ of the Cleve-

land or gold Democrats, in this sentence: "The Silverites will be invincible if united and harmonious; but they have neither machine nor boss. The opportunity is here; the man is lacking."

But if the Silverites had no boss, in the ordinary political sense, they did have a leader. From the very opening of the convention, its dominating spirit was Governor Altgeld of Illinois, although that fact was perhaps not fully apparent until after the second day. Altgeld was the brain and will of the convention, as Bryan was—very literally—its voice. Bryan's nomination was in the nature of an accident; Altgeld's leadership was inevitable from his abilities, his courage, and his practical political sagacity. During the months immediately preceding the convention, he had done more than any other man in the Democratic party to forecast its character, to create the situation and shape the issues which were there developed. Possibly the situation and the issues would have been the same in any case; but if Altgeld had not been able to control events, at least he had foreseen their drift more clearly than other Democratic leaders and he had labored more consistently than any other to mold party policy into an uncompromising stand on the question which he knew would be foremost in the campaign of 1896. In the convention itself, he was an active and powerful force at every stage.

It was his personality around which the convention proceedings revolved as far as caucus direction was concerned. He was also the central figure in the free silver conference in which the platform was mapped out for adoption of the 16 to 1 platform. On the convention floor and in secret caucuses outside, Altgeld, was cajoled, threatened, challenged, and browbeaten by leaders

of the different factions; but in spite of it all he stood firm, and to him more than to any other one man was attributed by leaders of the free silver element the power which finally secured the 16 to 1 platform.*

On the first day of the convention the silver forces won an important strategic victory in electing Senator John W. Daniel, an ardent bimetallist, as temporary chairman. The national party committee, controlled by a majority hostile to silver, had presented the name of David B. Hill of New York for this position; and according to traditional practice, the convention should have ratified this selection. Upon roll call, however, the vote stood 556 for Daniel and 349 for Hill. Next day the convention voted to unseat the "bolting" gold delegation from Nebraska in favor of a contesting silver delegation led by William J. Bryan; and four gold delegates from Michigan were supplanted by silver men, thus giving the silver faction (under the unit rule) the solid vote of Michigan. The silver majority was also augmented by increasing the representation of each Territory from two members to six. Senator S. M. White of California was then elected permanent chairman of the convention. While the delegates were awaiting the report of the platform committee, there were numerous calls for Governor Altgeld. At first he refused to speak, urging that Senator Hill of New York should be heard instead. After learning that Hill was absent, the chairman formally invited Altgeld to address the convention. His speech was extemporaneous, and occupied only about fifteen minutes in the delivery. He recounted the evils that had followed the demonetization act of 1873; he

* *Chicago Chronicle*, March 13, 1902.

denounced those forces in the convention that were advocating the usual straddle and compromise on the great question before them; he pleaded for a declaration of principles "that will admit of no quibble, that will mean the same thing on the mountain, in the valley, and at the seashore." It was not a brilliant speech, or an impassioned one; but the keynote of "No compromise," which Altgeld struck again and again, was precisely attuned to the prevailing mood of the convention. The demonstration that followed was the most enthusiastic evoked by any of the speakers save only Mr. Bryan, whose now famous "crown of thorns and cross of gold" speech came a day later. To the eastern press correspondents, steeped in the horrific Altgeld-myths of their employers, this demonstration was full of sinister portents. One of these gentry, describing the speaker and his speech for a noted New York "journal of civilization," sought to freeze the blood of Wall Street with the following imaginary portrait:

> John P. Altgeld, with his sharply chiselled French Revolution face, his high ringing voice, his bitter vehemence of manner, and his facility for epithet, was the most picturesque figure in the assemblage . . . No one could listen to the flow of natural eloquence from Altgeld's lips without feeling that here was a guiding spirit in the lower social plane of any community in which he might dwell. He manifestly understood the weaknesses of human nature, and knew how to play on them with Satanic shrewdness. No personality in the convention was less obtrusively in evidence than he; no orator was more eagerly heard when he spoke; none knew so well in what order to spring his half-truths at his audience and where to shut off the stream; none measured with such cleverness the meaning of the plaudits in response, or realized so promptly when he had reached a climax

which he could safely cap with a bit of his keen invective. One could not help marking him, at short notice, as the most dangerous influence in the convention—the stamp of agitator who, when the bludgeon had failed of its full work, would be ready with his poisoned knife, and who, in leading a victory-drunken mob, would not hesitate to follow pillage with the torch.*

As an antidote to this bit of journalistic hysteria, it is refreshing to turn to the pen portrait of another observer at the convention—one who viewed the actors and the scenes in that drama not with the eyes of a mediæval heresy-hunter, but with the clear vision of a trained, intelligent, and impartial student of public affairs. After speaking of Mr. Bryan's appearance and manner in the convention ("a strong-limbed, strong-lunged athlete, stalwart, confident, and bold, with the rude force and enthusiasm of youth—with something, too, of its crudeness and immaturity,—but buoyant, assertive, 'magnetic,' with a power of homely and forceful eloquence that takes popular audiences by storm, a 'man of the people,' a 'commoner,' a radical and an optimist, with unbounded faith in Providence, in the Republic, and in himself"), this writer gives by way of contrast the following picture of Governor Altgeld:

A pale, intellectual, thoughtful man, with a sad and serious face; a temperament reflective and philosophical, yet alert and ready; calm, intrepid, and inflexible, able to stand alone against a thousand, yet quick to see the essential or potential elements in a situation and masterful in shaping them to desired ends; a man impatient at obstacles and objections, yet one to whom ultimate purposes and principles are more than present gains, and who knows how to bide his time; of unyielding courage and endurance, yet no voluntary martyr; able equally to bear attacks in silence

* Francis E. Leupp in *Harper's Weekly* for July 18, 1896.

or to give back blow for blow; a friend of humanity, and a hater of injustice to others as to himself; a keen critic of social institutions, who thinks one should not only desire improvement but should work practically to attain it; a mature student of politics and society, who sees clearly the costs and difficulties of reform; a man of independent fortune, whose place is yet by choice among the party of the poor; a public speaker lacking or disdaining the arts of oratory, yet swaying vast audiences by his earnestness and the force of his logical appeal; a semi-invalid who is yet capable of the most vigorous and sustained exertions, and whose physical powers are able to support the activities of his restless brain only by a will-force which, "like seasoned timber, never gives"; a nature somewhat passionate and quick, yet subdued to habitual self-control; tried and tempered by adversity, yet kindly and sympathetic to all who deserve his courtesy;—such, roughly sketched, are some of the traits and characteristics of that remarkable man known as Governor Altgeld of Illinois, one of the most interesting and heroic figures in American public life. I watched him at the Convention, where he sat quietly in his place among the delegates, the centre and often the directing spirit of the exciting scenes, yet outwardly the most unmoved man upon the floor. I have for several years watched his career and studied his character; . . . In appearance he is about medium height, of well-developed figure, and hair and beard untouched with grey. His manners are dignified, and his face is at once strong and refined,—in fact, he is one whose presence would attract attention in any company of distinguished men. Something in his expression, and in his careless manner of allowing his hair to fall over his forehead, marks him peculiarly as the caricaturist's prey,—very much as Mr. Howells, the novelist, whose gentle manners and kindly disposition endear him to all who know him, has yet something in the shape of his face and the matting of his hair which causes his pictures to represent him often as an uncomely ruffian.*

*Francis Fisher Browne in *The National Review.* (London) for December, 1896.

On July 9 the committee on resolutions placed before the convention a platform which declared the currency question "paramount to all others at this time" and contained the following plank on that subject:

> We are unalterably opposed to monometallism, which has locked fast the prosperity of an industrial people in the paralysis of hard times. . . . We demand the free and unlimited coinage of both silver and gold at the present legal ratio of 16 to 1 without waiting for the aid or consent of any other nation. We demand that the silver dollar shall be a full legal tender, equally with gold, for all debts, public and private; and we favor such legislation as will prevent for the future the demonetization of any kind of legal-tender money by private contract.

For the rest, the platform condemned either directly or by inference nearly every prominent act and policy of President Cleveland's administration. "The issuing of interest-bearing bonds of the United States in time of peace and . . . the trafficking with banking syndicates" were denounced; as was also "arbitrary interference by Federal authorities in local affairs," and especially "government by injunction," which was described as "a new and highly dangerous form of oppression, by which Federal judges become at once legislators, judges, and executioners." The Supreme Court was criticized for reversing precedents in order to declare unconstitutional the income tax clause of the Wilson tariff act, and the possibility of another reversal on this question by the same court "as it might hereafter be constituted" was suggested. "Life tenure in the public service" was disapproved in favor of appointments for fixed terms of office; and an enlargement of the powers of the Interstate Commerce Commission was demanded, together

with such "control of railroads as will protect the people from robbery and oppression." The usual platitudes about such matters as the tariff, the Monroe Doctrine, pensions, Cuban independence, etc., completed the platform.

Following the reading of this document, a forlorn hope in behalf of a minority report signed by sixteen members of the committee on resolutions was led by such conservatives as Hill of New York, Vilas of Wisconsin, and ex-Governor Russell of Massachusetts. But the young and until then little-known Bryan of Nebraska, in a speech that is now historic, swept them down like men of straw and aroused the convention to a cyclone of enthusiasm such as no other American political gathering before or since has ever witnessed. The majority platform was adopted by a vote of more than two to one. Nothing now remained but the selection of candidates for President and Vice-President. In the voting next day, Richard P. Bland of Missouri, "the father of free silver," led on the first three ballots, with Mr. Bryan not very far behind. On the fifth ballot the latter received the necessary number of votes for nomination; and Arthur Sewall of Maine was then chosen as candidate for Vice-President.

It is impossible, as a writer who has already been quoted in this chapter clearly pointed out at the moment, to arrive at an understanding of this remarkable convention without considering it at the outset as the expression of a great social and economic revolt.

> This theory enables us to comprehend its character and motives, although we may not accept its logic and its method. . . . Two things were needed at the outset: a concrete purpose, and a leader. The old issues were felt to be outworn and inadequate, and the

old leaders were discarded with them. The pervading feeling was that of Lowell's line:

"New occasions teach new duties; Time makes ancient good uncouth."

The concrete purpose—the credo, the shibboleth, the sought-for panacea—was found in the words "Free Silver." It was in favor already with a majority of the delegates, and when offered to the convention was received with eager readiness and adopted with boundless enthusiasm and delight. A great party had found its creed and formula, a cause had found its watchword and rallying-cry, a suffering people had found the key to its deliverance, humanity had found a new hope and inspiration. The outburst of joy and exultation was indescribable; it was splendid as a spectacle, however saddening to those who, like myself, were unable to share in the beliefs and expectations that inspired it. It was this scene in the convention that was described by hostile critics as a "political debauch," a "frenzy," and an "orgy"; some excited observers (at a distance) compared it with the conventions in Paris before the Reign of Terror; in London, as we are told by Mr. Stead in his *Review of Reviews,* the important information was vouchsafed that "Hell was broken loose at Chicago." I have attended many of the national conventions of both parties, and the one thus uncharitably described appeared to me to differ from the others chiefly in its greater enthusiasm and spontaneity. It was essentially the most genuine and impromptu political movement that has been known for many a decade. It was really the birth of a new party—a party devoted in spirit, whatever its mistakes of method, to human rights and human progress, to the welfare of the common people, to the promulgation of a newer and truer Democracy. Such were the feelings and convictions of a strong majority in the convention; the old and conservative leaders, startled at the progress of events, and seeing the direction of affairs rapidly passing from their control, looked on in dismay and protest, but were powerless to stay the rising tide. The convention was in the hands of new men

animated by new thoughts and purposes, and guiding it toward new issues and new destinies.*

Although Governor Altgeld, more than any other leader of his party, had shaped and guided those policies and issues which dominated the national Democratic convention of 1896, there is slight foundation in fact for the assertion later frequently made by friends and foes alike that he literally wrote the adopted platform. He was not a member of the committee on resolutions, and so played no *direct* part in framing the platform—whatever his indirect influence may have been. Its cardinal feature, the free silver plank, had been written by Mr. Bryan some time before the convention met. Some of Altgeld's close friends, even those who assert that he "wrote" the Chicago platform, hold to the belief that he never really favored the 16 to 1 ratio, but consented to its inclusion in the silver plank in order to placate the more radical free silverites and secure the adoption of other planks in which he was more keenly interested. At this late day it is difficult to get at the exact truth in such matters; but in the absence of conclusive testimony to the contrary, we must suppose that Altgeld's position regarding the 16 to 1 ratio was what he stated it to be in his speech before the Democratic State convention at Peoria, on June 23, 1896:

Theoretically the bimetallic system does not depend on any particular ratio, and if this question could be considered by Congress on its merits alone and free from outside pressure, it is probable the subject of a ratio would not be discussed at all by the public. But . . . it being necessary to make a specific

* Francis Fisher Browne in *The National Review* (London) for December, 1896.

declaration in order that we may not lose the fruits of victory in case we win, and no man having suggested anything better, the only thing for us to do is to declare for that historic ratio under which we prospered and which is in harmony with our whole financial system.

Still less foundation exists in fact for the assertion so often heard in the ensuing campaign that Governor Altgeld was personally responsible for Mr. Bryan's nomination—that, to quote a typical journalistic source, "it was he who chose Mr. Bryan in preference to Mr. Bland, and induced the convention to nominate the fervid and plastic young Nebraska orator . . . who would be as clay in the hands of the potter under the astute control of the ambitious and unscrupulous Illinois communist." * Until Mr. Bryan's momentous speech on the third day of the convention, he had never been seriously considered as a possible Presidential candidate. The Illinois delegation, of which Governor Altgeld was chairman, went to the convention pledged to support Bland; it did support him on the first four ballots, and only switched its support to Mr. Bryan on the fifth ballot, after Bland's chances had become hopeless.

But common conjecture regarding the national Democratic convention of 1896 undoubtedly hit the bull's-eye of truth with at least one of its shafts. Save for the Constitutional clause which debars a citizen of foreign birth from holding office as President of the United States, Governor Altgeld would in all likelihood have received the Democratic nomination in 1896. Even so hostile an observer as Mr. H. H. Kohlsaat, then owner of one of the great Republican newspapers of Chicago, ad-

* *Harper's Weekly*, October 17, 1896.

mits this.* In connection with this point, a letter written by Governor Altgeld to Hon. James S. Hogg of Texas, and bearing date of June 8, 1896, is of no little interest.

I feel highly flattered by your inquiry, but am glad to be able to say that I am not eligible to the Presidency. I was born in Germany, and came to this country when I was three months old.

While I am an enthusiastic American and almost a crank on the subject of republican institutions and of government by the people, still I do not know what effect the buzzing of a Presidential bee might have upon my nervous system. I notice that it weakens most men. They are in constant fear of spoiling their chances, and consequently accomplish nothing.

We have had three or four great Presidents, but as a rule the great men of this country have not been Presidents. In fact, the men whose labors made republican institutions possible in America, and most of the men who later on shaped our destinies, were men who could not have been elected President. It requires positive and aggressive men to do much for their country. Could I have my choice in the matter I should prefer belonging to the latter; but as it is, I expect to walk in the shady valleys and to seek contentment in the humbler walks of life.

On July 22 both the Populist party and the so-called "silver Republicans" met at St. Louis, endorsed free silver, and nominated Mr. Bryan for the Presidency, although the Populist convention substituted the name of Thomas E. Watson of Georgia for that of Arthur Sewall as candidate for Vice-President. Meanwhile, a consid-

*In his political recollections, "From McKinley to Harding," Mr. Kohlsaat writes: "The dominant figure [at the Chicago convention] was Governor John P. Altgeld, of Illinois. Born in Germany, he was ineligible for the Presidency or would in all probability have been the nominee."

erable section of the Prohibition Party, known as "broad gaugers," had already adopted a platform favoring free coinage at the 16 to 1 ratio. For several weeks the gold standard or Cleveland Democrats, most of whom had abstained from balloting in the Chicago convention, were uncertain as to what course they should pursue, the majority finally deciding upon an independent campaign. The Illinois members of this faction met at Chicago on August 25, and adopted a platform which, while it had little to say about silver, was uncompromising in its adherence to the gold standard. It extolled President Cleveland, declared that the national Democratic convention had been dominated by "agitators, sectionalists, and demagogues," and denounced the "shameful demand for a debased dollar." The convention selected John C. Black as its candidate for Governor; Black later declined to run, and William S. Forman was named in his place. A national convention of gold Democrats assembled at Indianapolis early in September, with delegates present from forty-one States, and three Territories. The adopted platform of this "National Democratic Party," as it decided to style itself, condemned "the Populist conventions of Chicago and St. Louis," urged the maintenance of a single gold standard, and praised the "fidelity, patriotism, and courage" of President Cleveland in fulfilling "his great public trust," in maintaining "civil order and the enforcement of the laws," and in upholding "the credit and honor of the nation." Ex-Governor John M. Palmer of Illinois and General Simon B. Buckner of Kentucky were nominated as this party's standard-bearers.

CHAPTER XXVI

THE CAMPAIGN OF 1896

WHEN some social psychologist of the future undertakes to prepare that much-needed work, "Studies in American Mass-Hysteria," he will find the material for two of his principal chapters in episodes with which Governor Altgeld's name is nationally associated—the Chicago anarchist case and the Presidential campaign of 1896. And to the extent that they deal specifically with the direct and indirect rôle played by Altgeld in each episode, the second of these chapters will form a sequel to the first, while the first will account for much that would otherwise be inexplicable in the second.

The campaign of 1896 will always remain one of the most memorable in the history of American politics. The issues raised and the principles involved at the beginning of the contest were the most clear-cut and vital that had been presented to the electorate since the Civil War. In its broadest aspect, it was "the first great protest of the American people against monopoly—the first great struggle of the masses in our country against the privileged classes." As James Parton said of the Jacksonian contests, "nearly all the ancient wealth, nearly all the business activity, nearly all the book-nourished intelligence, nearly all the silver-forked civilization of the country" were united in opposition to the Democratic platform and candidate. But it was a sectional as well as a class strug-

gle, with the West and South arrayed almost solidly against the northeastern States. At the outset both sides proclaimed that this was to be a campaign of education, and indeed much educational work was done: tons of printed matter were distributed, and thousands of speakers expounded the principles of finance and government to receptive audiences. During a period of fourteen weeks, Mr. Bryan made four stumping tours across the country, covering eighteen thousand miles in all, and speaking nearly six hundred times before a total of probably five million persons. Throughout this remarkable canvass he never dodged the main issue or stooped to personal abuse of his opponents; his energy, enthusiasm, courtesy, and good humor were unfailing. McKinley, on the other hand, was permitted by his manager, the astute Mark Hanna, to take no chances in the open field. His part consisted in making impressive frock-coated appearances on his Canton veranda, before delegations of pious pilgrims whom he urged to stand firm for "sound money" and the grand old system of protectionism. For the less fugitive and cloistered activities of the campaign, Mark Hanna had his own far-flung army of shock troops, picked for the work and amply provided with the sinews of war.

But what began as a campaign of education soon degenerated, on the Republican side, into a campaign of vituperation and then into an orgy of emotion and panic. Before the end of Mr. Bryan's first "swing around the circle" Hanna and his lieutenants realized quite clearly that to accept the Democratic challenge and argue the currency question on its own merits before the country would result in certain defeat for their party—not, of course, because the silver arguments were invincible, but because of the almost fanatical devotion among the common peo-

ple to "free silver" as a cure for the economic ills under which they suffered. It was therefore necessary to shift the campaign into entirely new channels, to veil the main issue under specious plans for "sound money" and an "honest dollar" and at the same time to discredit the Democratic leaders by calling hard names and charging sinister motives. For the successful execution of this purpose, Governor Altgeld's prominence on the Democratic side was a providential boon to Hanna and his cohorts. Altgeld had pardoned the surviving Chicago "anarchists"; *ergo,* Altgeld was himself an "anarchist"; *ergo,* any cause which Altgeld championed was "anarchistic"; *ergo,* any champions of a cause which Altgeld championed were either themselves "anarchists" or puppets of the "arch-anarchist." In the light of such impregnable logic as this, the Democratic "plot against organized society" stood revealed and explained—for campaign purposes. With its usual insight and veracity, and something more than its usual restraint, *Harper's Weekly* put the situation in a nutshell as follows:

> Governor Altgeld, as we have already said, is the brain and inspiration of the movement for which Mr. Bryan stands. He is the candidate's most trusted adviser. It is he who chose Mr. Bryan in preference to Mr. Bland, and induced the convention to nominate the fervid and plastic young Nebraska orator. . . . Governor Altgeld preferred the impulsive, susceptible, imaginative, yielding Mr. Bryan, who had always shown himself ready to make war on society, who was accepted as a Populist by Populists themselves, and who would be as clay in the hands of the potter under the astute control of the ambitious and unscrupulous Illinois communist, who had become the leader of all the disturbing forces in the country by reason of his defense and pardon of the Chicago anarchists. To Governor Altgeld the

passage of a law establishing free coinage of silver would be but a step towards the general socialism which is the fundamental doctrine of his political belief. The money question is but one of the issues on which he seeks to overturn the old parties, the old traditions, and the essential policies which have controlled the government since its foundation. He favored Mr. Bryan because he knew that he would be the power in Mr. Bryan's administration; and he is not seeking merely to make money cheaper, but through a war on capital to revolutionize politics and society.*

This conception of Governor Altgeld as the real power in the silver movement, with Mr. Bryan as his tool, soon became the dominant idea in the entire Republican campaign. Every conceivable effort was made to place upon the national Democratic party and its candidate the odium attaching in the public mind to Altgeld and his alleged "criminal sympathies and anarchistic tendencies." The cry of "anarchy" was incessantly trumpeted to the four winds by every Republican agency capable of emitting a noise. As the campaign progressed, these tactics became more reckless and violent and discursive. Altgeld was "an enemy of the Constitution"; he stood for "all the essential doctrines of Jeff Davis and Herr Most"; and his "final aim and purpose" were declared to be nothing less than the "overthrow of law and order, the rights of property, and conservative government in the United States." Oddly enough, the most active and thoroughgoing practitioners of this sort of moral assassination were the revered clergymen, the urbane "scholars in politics," the knightly Civil War heroes, the respected "journals of civilization" identified with eastern sweetness and light. Dr. Lyman Abbott denounced from his pulpit "the crowned hero and worshipped deity of the

*Editorial in issue of October 17, 1896.

anarchists of the Northwest" who had the "magnificent effrontery" to go to New York to deliver an address in answer to a scathing attack that had been made upon him there by a prominent Republican orator. Theodore Roosevelt, before an audience of 13,000 persons in Chicago, characterized Governor Altgeld as "one who would connive at wholesale murder," who "condones and encourages the most infamous of murders," and who "would substitute for the government of Washington and Lincoln a red welter of lawlessness and dishonesty as fantastic and vicious as the Paris Commune." General Sickles, the warrior of Gettysburg, travelled through Illinois informing the people that their Governor—the highest official of the third great State in the Union—was a "wolf who needed skinning." *Harper's Weekly* and *The Nation,* at virtually every mention of Altgeld's name, outdid the venal atrocities of the least reputable Republican newspapers. A particularly loathsome feature of the first-named journal was its series of campaign cartoons by W. A. Rogers. In his final effort, published a week or so before the November election, this artist depicted Governor Altgeld as a demoniac spirit projected against the shade of Guiteau (the abhorred murderer of President Garfield), and holding in his hands a torn Constitution and a flaming torch marked "Anarchy," while underneath the picture appeared this legend: "1881–1897: Guiteau was a Power in Washington for One Day. Shall Altgeld be a Power There for Four Years?" A fairly complete vocabulary of vituperation might have been compiled from the names applied to Altgeld by the hysterical swashbucklers of press, pulpit, and platform. Such appellations as "anarchist," "socialist," "communist," "fool," "fraud," "crank," etc., were worn threadbare

early in the campaign, and were gradually discarded in favor of "lunatic," "ruffian," "thug," "snake," "viper," "serpent," "dog," "ass," "hoodlum," "traitor," "conspirator," "murderer," "arch devil," and the like.

It is not pleasant to dwell on these revolting features of the campaign, and we are glad to pass on to another and slightly less personal phase. In order to reap the full benefits of the "anarchy and lawlessness" issue which they had raised so effectually, something more was required of the "sound money" evangelists than merely to vilify Governor Altgeld. It was not enough to iterate and reiterate that he was the real power in the silver movement, and that as he was an anarchist and a desperado the effect of Mr. Bryan's election would be to install an administration of anarchists and desperadoes at Washington. Every effort must also be made to inoculate public opinion with the notion that the Democratic platform was in itself an anarchistic and a revolutionary document. This task required somewhat delicate handling. The most important item in that platform was of course the currency plank, demanding "the free and unlimited coinage of both silver and gold at the present legal ratio of 16 to 1." But reckless as they were in the use of epithets, the Republican managers were not quite prepared to brand as anarchistic and revolutionary a currency policy that had been adhered to for several decades by the United States government and that had been actively championed in Congress by their own Presidential candidate. Careful strategy therefore demanded that the campaign emphasis should be shifted as much as possible from this to certain other Democratic planks which were commonly alleged to be the "pets" of Governor Alt-

geld and the children of his own particular creation. Of such planks, the one singled out for heaviest attack was that which denounced "arbitrary interference by Federal authorities in local affairs as a violation of the Constitution of the United States and a crime against free institutions" and objected to "government by injunction as a new and highly dangerous form of oppression by which Federal judges, in contempt of the laws of the States and the rights of citizens, become at once legislators, judges, executioners." As a direct sequel to events connected with the Chicago railway strike of 1894, this plank particularly outraged the employing class that was aligned so solidly under Mark Hanna's leadership. The first clause was generally characterized by Republican spokesmen as "a declaration in favor of free riots"; the second contemplated "warfare against the courts" and was a blow aimed at the "integrity and independence of the judiciary." Only a little less objectionable than this "worst plank" in the Democratic platform was the paragraph criticizing "the adverse decision of the Supreme Court on the income tax" of 1894, and declaring "that it is the duty of Congress to use all the Constitutional power which remains after that decision, or which may come from its reversal by the court as it may hereafter be constituted, so that the burdens of taxation may be equally and impartially laid, to the end that wealth may bear its due proportion of the expense of the Government." From this seemingly innocent wood-pile the Republicans dragged forth a nigger labelled "Covert Threat to Pack the Supreme Court of the United States," and exhibited him up and down the country as one of the blackest of Satan's progeny. With his twin brother, the "free riots"

and "attack on the courts" clause, he was a monster which "to be hated needs but to be seen." In their proper natal conjunction, the pair revealed the true damnable inwardness of Democratic policy and purpose. "It is because their programme is one of spoliation," said *Harper's Weekly,* "that Mr. Bryan and his mentor Governor Altgeld want free riots and a Supreme Court that will obey the passions of the multitude."

It would be merely fatuous to discuss whether these or any other planks in the Democratic platform were in even the remotest degree anarchistic, incendiary, revolutionary, or whatever else the panic-stricken conservatives of 1896 believed them to be. The only purpose here has been to indicate the masterly strategy of Mark Hanna and his lieutenants in capitalizing the popular hatred of Governor Altgeld to discredit Mr. Bryan and everything he stood for. The paramount issue of "free silver" was of course a large factor in controlling sentiment and votes, as was also the enormous Republican campaign fund. But more important than these in the ultimate result were the shrewdly-calculated appeals to prejudice and passion, openly or insidiously based on Governor Altgeld's connection with the campaign, which in their cumulative effect produced a nation-wide hysteria, a frenzied anarchophobia, among the well-to-do during the three or four weeks just before election. No doubt the victims of this dementia sincerely believed with Goldwin Smith that "all the elements of distress, class hatred, social revolution, craziness, and anarchy have combined against the American Republic." And there were probably few among them who did not echo the post-election sentiments of the *New York Tribune,* as expressed in the following immortal example of journalistic phrenitis:

The Bryan movement was conceived in iniquity and was brought forth in sin. It had its origin in a malicious conspiracy against the honor and integrity of the nation. It gained such monstrous growth as it enjoyed from an assiduous culture of the basest passions of the least worthy members of the community. It has been defeated and destroyed because right is right and God is God. Its nominal head was worthy of the cause. Nominal, because the wretched, rattle-pated boy, posing in vapid vanity and mouthing resounding rottenness, was not the real leader of that league of hell. He was only a puppet in the blood-imbued hands of Altgeld, the anarchist, and Debs, the revolutionist, and other desperadoes of that stripe. But he was a willing puppet, Bryan was,—willing and eager. Not one of his masters was more apt than he at lies and forgeries and blasphemies and all the nameless iniquities of that campaign against the Ten Commandments. He goes down with the cause, and must abide with it in the history of infamy. He had less provocation than Benedict Arnold, less intellectual force than Aaron Burr, less manliness and courage than Jefferson Davis. He was the rival of them all in deliberate wickedness, and treason to the Republic. His name belongs with theirs, neither the most brilliant nor the most hateful in the list. Good riddance to it all, to conspiracy and conspirators, and to the foul menace of repudiation and anarchy against the honor and life of the Republic.

Although warned by his physicians that to attempt any active part in the campaign of 1896 would be to court death, Governor Altgeld was one of the most energetic and effective workers in the Democratic cause. Throughout the campaign he gave little thought to his own candidacy for reelection as Governor of Illinois, but everywhere emphasized the national issues and the national ticket. Characteristic of his attitude in this respect is the following statement from his opening speech of the campaign, delivered at Girard, Illinois, on August 29:

Speaking of my own candidacy, I have only to say that I have served you nearly four years. I have never worked harder in my life. I have striven to do my duty. Unquestionably I have made mistakes, but I have aimed to follow the dictates of justice and right. I have aimed to know neither rich nor poor, neither friend nor foe, in the discharge of my duties. I have aimed to raise the banner of this mighty State to the highest pinnacle. I have acted upon the principle that every man is equal before the law and all are entitled to equal protection. If you are satisfied with my stewardship, naturally it would gratify me to have you say so; but, my fellow citizens, all questions of office sink into insignificance when compared with the great issue that is before the people. Office holders come and go, and as a rule the world is little the wiser or little the better. But policies shape the destinies of nations and determine the happiness or the misery of unborn generations; and if there are Republicans here who feel that they must in part support their ticket, then I say to you with all the earnestness of my soul, go into the booth, and vote for Mr. Tanner for Governor,—then think of your families, think of the future of your children, think of the future of our great country, and cast a vote for Bryan and for humanity.

Early in October the Republican candidate for Governor toured Illinois with a party of national speakers, all of whom made Altgeld the special target of their oratory. Ill as he was, the Governor secured a special train and followed the Tanner party through the State, speaking several times each day in those towns which his opponents had just visited. An incident of this heroic journey, never before recorded, is contributed by Mr. David R. Levy, who served as Altgeld's private secretary throughout the campaign of 1896. Mr. Levy writes:

Accusations have often been made that the zeal and earnestness with which Governor Altgeld defended the laboring classes

and endeavored to benefit them were of a demagogic nature and assumed for political effect. I wish to recall one incident which in my opinion clearly demonstrates that this was not the case, and that his whole heart and soul were bound up in a concentrated effort to help mankind. The incident referred to occurred in the Fall of 1896, on the morning after the Governor had delivered a speech at East St. Louis and we were on our way to Mount Vernon, where he was scheduled to speak that afternoon. At this time his health was in a precarious condition, and after any large meeting he was completely exhausted—at times in a state of collapse. This was the case on the morning which I speak of, and while riding in the sleeper he seemed very much depressed. I asked him if he were feeling ill, and his answer was: "Oh, not more than usual." Then, continuing, he said: "I was a pretty sick man last night, was I not?" I replied: "Yes, Governor." He then said: "You know I may be carried off in one of the attacks such as I suffered last night, and yet if such a thing were to happen I feel I could die perfectly happy if I could think and feel that anything I had ever done, said, or written would in any way alleviate the condition of the working people of this country." Could anything more clearly refute any charge that could be made against him or his memory on this subject? The statement was made to and overheard by no one except his private secretary, in whom he had implicit confidence and whom he knew would not repeat it without his consent. It was not said with any expectation of its being published, but only as one man talks to another with whom he is on an intimate footing.

At the end of this Illinois tour Governor Altgeld went at once to New York, where he delivered in Cooper Union on October 17 what was perhaps the most notable speech of his life. In this, he dealt in largest part with the "Federal interference" and "government by injunction" plank of the Democratic platform, giving a detailed

account of his own and the Cleveland administration's course in connection with the Chicago railway strike of 1894. The ordeal of that speech, which must have occupied nearly three hours in the delivery, left him in a shattered condition for several days afterward. The same result had followed an earlier speech of the same campaign in Chicago, as thus recorded by Judge Edward Osgood Brown.

> Taken with a fainting spell from illness, just as he was about to make a speech with others at the Auditorium, his friends could not persuade him to give up his intention. He went on the stage and, fortunately, was able to conclude a masterly address without apparent difficulty. But on his return to his room at the hotel, where I awaited him, he was unable for an hour or more to move from his bed. The circumstances of his death were but a recurrence, with a different result, of the same conditions.

But physically broken as he was, by sheer power of will Altgeld held his place in the front line of battle from beginning to end of a campaign fierce beyond parallel in American politics, fighting valiantly to the last ditch against such odds and such weapons as few men in public life have ever had to face. Even his most implacable foes were forced to bear witness to his courage, his ability, and his devotion to the cause. And although in the final outcome he went down to defeat, along with the national Democratic candidate, it was a defeat more honorable than a dozen ordinary victories. Within the space of scarcely six months, the Democratic organization had been metamorphosed from a party of privilege to a party of the people. It had been obliged, in Altgeld's phrase, "to reform while under the fire of the enemy," but not-

withstanding that fact "it has made the most heroic political fight ever seen in this country."

> It was confronted by all the banks, all the trusts, all the syndicates, all the corporations, all the great papers. It was confronted by everything that money could buy, that boodle could debauch, or that fear of starvation could coerce. It was confronted by the disgust which the majority of the American people felt toward the national administration, for which they held us responsible. It was confronted by the unfounded charge of being partly responsible for the hard times. It was confronted by a combination of forces such as had never been united before and will probably never be united again; and worse still, the time was too short to educate the public.

The *Chicago Tribune's* editorial on Altgeld's post-election statement from which the above paragraph is quoted bore the heading, "Viper Altgeld Gnaws a File." Two days before, four hundred and seventy-five thousand citizens of Illinois (fifty thousand more than voted for him in 1892) had cast their ballots for "viper Altgeld." His vote exceeded Mr. Bryan's Illinois total by 10,000; his opponent's plurality was 30,000 less than McKinley's in Illinois. In the national election, six and a half million American citizens (nearly a million more than had ever voted for a successful presidential candidate before 1896) supported the party of "anarchy" and "repudiation" and "free riots." While McKinley's popular majority was about 600,000, a shift of less than 20,000 votes distributed among six States in which the balloting was most evenly divided would have given Mr. Bryan a winning majority in the electoral college. By such a hair-like margin was the great battle of 1896 decided.

But the rejoicings of Mark Hanna's victorious hosts were neither shadowed nor sobered by any reflections on the narrow squeak by which they had managed to pull through. Altgeld's defeat, even more than Bryan's, was the prevailing theme in a thousand jubilant editorials. "Exit Altgeld!" shouted *Harper's Weekly,* exit "the most dangerous enemy to American institutions of all the ruffianly gang which has broken out of the forecastle of the ship of state and attempted to occupy the quarter-deck and seize the helm." Altgeld has long since left the stage, and so has *Harper's Weekly,* and so have most of the leading actors who played their heroic or their degrading parts in that tremendous drama. Each has found his appropriate Valhalla and his appropriate associates in the spirit world of history.

Where is McKinley, Mark Hanna's McKinley,
His slave, his echo, his suit of clothes?
Gone to join the shadows, with the pomps of that time,
And the flame of that summer's prairie rose.

Where is Cleveland whom the Democratic platform
Read from the party in a glorious hour?
Gone to join the shadows with pitchfork Tillman,
And sledgehammer Altgeld who wrecked his power.

Where is Hanna, bull dog Hanna,
Low browed Hanna, who said: "Stand pat"?
Gone to his place with old Pierpont Morgan.
Gone somewhere . . . with lean rat Platt.

Where is Roosevelt, the young dude cowboy,
Who hated Bryan, then aped his way?
Gone to join the shadows with mighty Cromwell
And tall King Saul, till the Judgment day.

Where is Altgeld, brave as the truth,
Whose name the few still say with tears?
Gone to join the ironies with Old John Brown,
Whose fame rings loud for a thousand years.

Where is that boy, that Heaven-born Bryan,
That Homer Bryan, who sang from the West?
Gone to join the shadows with Altgeld the Eagle,
Where the kings and the slaves and the troubadours rest.*

* From "Bryan, Bryan, Bryan, Bryan," by Nicholas Vachel Lindsay, in "The Golden Whales of California."

CHAPTER XXVII

EVENTS OF 1897–1899

No doubt a feeling of immense relief was uppermost in Altgeld's mind when he said to Brand Whitlock, as the two were going up the long walk to the State House steps on almost the last morning that he passed in the Governor's chair: "Well, we're rid of this, anyway." A day or two later his successor, the faithful wheel-horse of Chicago monopoly interests, was inaugurated with a display of military pomp seldom seen before in Springfield. It had been an invariable custom at the inauguration of a new administration in Illinois for the outgoing executive to deliver a brief retiring speech; but in January, 1897, with the chivalrous instincts of his kind, Governor-elect Tanner persuaded the managers of the State Assembly to refuse this courtesy to Governor Altgeld. The grossness of the insult was aggravated by withholding all knowledge of it from the Governor until the last moment, when it was too late to recall the advance press copies of his speech. Had the pot-house bosses responsible for this affront been capable of shame, they would assuredly have experienced that emotion in reading Altgeld's address next morning. In substance and temper it was a model document of its kind, unmarred by the remotest tingle of rancor or animosity or partisan asperity. Of his own experience in office, Altgeld said:

I have given Illinois four of my best years and have brought all my offerings to her altar. Had it been necessary to do so I

should have considered life itself but a small sacrifice in her interest, and I retire from her service and from the high office to which her people elected me without any trace of bitterness or disappointment. I have tried to further the best interests of my country, and while I erred in many cases they were errors of judgment and I go forth with a peaceful conscience. I have endeavored to carry out those principles that form the basis of free government, and I have acted on the conviction that it would be better to be Governor but for one day and follow the dictates of justice than to hold office for fifty years by winking at wrong. In my judgment no epitaph can be written upon the tomb of a public man that will so surely win the contempt of the ages as to say of him that he held office all his life and never did anything for humanity. We believe that the institutions of the State are in excellent condition. Some of my friends feel that we have been cleaning house; that we have been putting things in order. Permit me to say that if any of the measures which we have inaugurated should prove beneficial to the country the people will be in no wise indebted to me, for when a public man gives to his country the very best services in his power he has done no more than he agreed to do and has done no more than the public had a right to expect.

These sentences were not empty rhetorical flourishes. They embodied the essence of Altgeld's views on the duties of office-holding; just as Mark Hanna's famous dictum, "No man in public life owes the public anything," embodied the essence of *his* views on the same subject. And they expressed the literal and precise truth regarding Altgeld's services to Illinois. He had indeed brought all his offerings to her altar, and they had been consumed to ashes in the sacrificial fire. Entering office a reputed millionaire, he left it impoverished. His health, precarious enough at the beginning of his term, was now shattered beyond repair; and not his own health only, but his

wife's as well. The systematic persecution and calumny to which he had been subjected for four years, culminating at last in an almost frenzied orgy of vituperation, were mainly responsible for that result in both cases, as they were responsible also for the wrecking of his political fortunes. Such was the price, or a part of the price, which he had paid for endeavoring to "further the best interests of my country."

To these heavy cumulative penalties of public service, Fate added more than one peculiarly bitter personal chastisement. In the death of his cousin, John W. Lanehart, during the early summer of 1896, Altgeld lost his most intimate friend and a trusted business associate of many years. At about the same time, that most cherished of his symbolic "children," the Unity Building, was taken over and sold by a public receiver. Then, soon after his retirement from the Governorship, two Democratic office-holders appointed during his administration were prosecuted, convicted, and sent to prison for defalcation. This last-mentioned misfortune caused Altgeld keener suffering than any other of his entire public career. In one of the few available letters which refer in any way to his personal or political tribulations, he wrote to his friend Judge Lambert Tree, on May 11, 1897:

> Here it is the old story. We are all like hens in a barnyard scratching for insects, with our eyes so riveted to the ground that we do not see the sky over us or the great world around us. And the cold truth is that times are so hard here that in the effort at bread-getting there seem to be more hens than there are insects to feed on.
>
> Personally I have what the parrot described to its mistress as "a hell of a time." During my whole public career I have never been pursued with so much venom as during the last four

or five months. I had long been used to facing the frown of the Fates, but this time they assumed the aggressive and I have felt the sting of their irony. You know I took pride in having my administration honest. Well, the grain inspector whom I appointed in Chicago was $4500 short in his accounts and for political effect has been made the subject of senatorial and grand jury investigation, and an effort has been made to besmirch an entire administration. Then the failure of some banks has tied up some public funds. Worst of all, Mr. Spalding, the President of the Globe Savings Bank and the treasurer of the State University at Champaign, has failed and it looks as if the institution would lose several hundred thousand dollars. Of course all these things are charged to me, and while I am in no way responsible and do not mind the abuse I am nearly heart-broken over the loss to the University. I had done more for that institution than all the other Governors put together. Through my aid it erected six great buildings during my administration and added several important departments and literally leaped forward and bid fair towards becoming one of the greatest institutions of learning on the American continent. I would as soon have been paralyzed as to have had anything happen to this institution.

But I am alive and am going steadily on. I confess to not having any philosophy that fits the case. To say that "there is no peace for the wicked" does not seem broad enough, and I do not feel at liberty to say that "whom the Lord loveth He chasteneth" for I do not see His finger in the affair. I conclude that it is simply a case of having been mistaken in men.

Even in the absence of the hapless incidents here referred to, with their depressing reaction for many months, Altgeld would have found the first year or two after his return to private life dreary and barren enough. As much as ever, perhaps more than ever, his mental energies craved some form of intense activity; yet the wretched condition of his bodily health would not permit of any

settled and continuous effort. A few speeches, delivered in the intervals of travel enforced by the doctors upon himself and Mrs. Altgeld, virtually made up the sum of his tangible accomplishment during 1897. In January he appeared before two important gatherings of Chicago Democrats, one a large reception in his honor. At Brooklyn on July 5 he spoke on the general theme that society always supports established wrong; at Philadelphia on September 5 he dealt with the problem of rescuing American institutions from corporate control; at Chicago on December 5 he delivered a memorial address on Henry George. His old-time powers of eloquence and mental vigor were still intact. But these occasional public appearances could by no means satisfy the zeal of a reformer eager to force the fighting at every point on behalf of principles which he considered crucially important in American affairs. Although the scope of his efforts widened somewhat during 1898, the comparative inaction and sterility of that and the preceding year weighed heavily upon him. "I feel like an orphan boy, and want to talk with you," he wrote to Henry D. Lloyd toward the close of 1898; "I have been living on the dry dust of the road so long that I need a change." And in welcoming another friend to Chicago at about this same time, he said: "Your coming is like a ray of light into my darkness, for here I feel as if I were under a black cloud, which never lifts."

Those who are in a position to know have said that Altgeld's chief political ambition was to go from the State House in Springfield to the Senate Chamber in Washington. The result of the 1896 elections in Illinois of course made that ambition impossible of fulfilment.

When the selection of a United States Senator came before the State legislature on January 22, 1897, Altgeld received seventy-seven votes, as against one hundred and twenty-five cast for the Republican candidate, William E. Mason. Soon thereafter, the machine politicians of Chicago ousted him from all power in the State Democratic organization. But they could not dislodge him from his position of influence among those Democrats, of Illinois and of the country, who placed loyalty to principles above loyalty to machine organization. "It may be doubted," said the *Chicago Record-Herald* at the time of Altgeld's death, "whether any man in his party had greater influence since 1896 in its national councils, and whether any man of his age, not even excepting William Jennings Bryan, left a deeper mark upon its history and declared principles." The force of this statement will appear more fully later on in these pages. Meanwhile, some mention should be made at this point of a few important political speeches delivered by Altgeld during 1898. On April 13 he spoke before a large Chicago gathering on Jefferson and Cleveland—"the first the founder and the other the destroyer of Democracy." At the State Democratic convention held at Springfield in early July, Altgeld easily carried off the oratorical honors of that gathering with a scathing arraignment of the Republican State administration then in power. This arraignment was extended to include the national administration as well in a speech of September 24 (during the "off-year" Congressional campaign) at the Chicago Auditorium. One more political address of this same general period was that delivered before the Jackson Club of Omaha on January 7 of the following year.

In another portion of the letter to Judge Lambert Tree from which quotation has already been made in this chapter, Altgeld wrote:

> You have probably noticed that we had an election in Chicago. It became evident early in the spring [of 1897] that both the winds and the tides were running our way. I wanted a victory that should count a little for bimetallism. There were a number of candidates for mayor on our side. Several gentlemen who last fall spat on our platform and derided our learning now suddenly became silver men. They literally offered their bodies to be flayed and their skins for bottles to serve the cause of silver. These gentlemen wanted the Democratic nomination for mayor; but the conversion seemed a little sudden, so a number of us—that is, the people—lifted young Carter H. Harrison into the saddle, and you would be amazed to see what a high horse he now rides. But his election was recognized by the country as a silver victory, and even if he should now betray us I feel that we did the right thing. Then it looks as if he would make a good mayor, and I hope all will be well.

All was not well, however, and before many months had elapsed Altgeld and the young Democratic mayor who was riding such a high horse were avowed enemies. At the outset the quarrel seems to have been in some degree of a personal nature; but that phase of the episode is now too obscure to be dealt with fairly. More essentially, it was a matter of conflicting political views and principles, centring about two distinct issues, one national and the other local. After Mr. Bryan's defeat in 1896 a formidable movement began to develop within the Democratic party to discard the Chicago platform and wage the next Presidential campaign on the old "wiggle and wobble" lines which had served the party so suc-

cessfully in 1884 and 1892. Prominent in this movement were the astute sachems of Tammany Hall, led by Richard Croker, who were chiefly interested in the sort of "free silver" that could be seen and felt in the palms of Tammany officeholders. Although Mayor Harrison of Chicago had been nominated and elected as a silver man, it was not long before his devotion to the Bryan and Altgeld brand of Democracy began to assume a slightly academic tinge. After a conference between Harrison and Croker toward the end of 1898, Altgeld and his adherents felt certain that Harrison had secretly allied himself with the enemies of the Chicago platform.

Such was the national issue involved in this affair. The local issue requires somewhat fuller explanation. In a previous chapter of this volume the story has been told of Charles T. Yerkes's memorable effort to secure the passage of State legislation which would have given him the so-called "eternal monopoly" in Chicago street-railway transportation—an effort frustrated at the last by Governor Altgeld's veto. The sequel to that story, in the selection by Yerkes of a successor to Altgeld who could be relied upon to rubber-stamp the traction magnate's orders, has also been recorded. With Tanner at the throttle of a well-oiled and smoothly-running Republican machine, the Yerkes programme was carried through at Springfield without a hitch. Early in the State legislative session of 1897 a measure known as the Allen Law, authorizing the Chicago city council to grant fifty-year franchises, was quietly introduced, quietly passed, and quietly signed by Governor Tanner. But unfortunately for Yerkes, the political atmosphere of Chicago was not so serene as that of Springfield. The corrupt city council happened to be just then under heavy bombardment from

a recently-organized Municipal Voters' League, and in the Spring mayoralty campaign of 1897 the traction question received a very wholesome airing. For the moment at least, Yerkes and his ring found it impossible to "cash in" on the Allen Law. Harrison, the newly-elected mayor, at once assumed an attitude of hostility to the street-railway monopolists, and refused to sanction any renewal of traction franchises until the Allen Law should be repealed and the State legislature should pass a new law authorizing municipal ownership. He did not intend, however, that this latter law should be utilized at once, and he favored the granting of one more renewal franchise for the usual twenty-year period, reserving to the city the right of purchase at some future time, the companies meanwhile to guarantee a five-cent fare and agree to pay the city ten per cent of their gross receipts. Such a policy of postponement on the main issue was far from acceptable to Altgeld and other advocates of immediate municipal ownership. They believed that the traction ring, by this time well aware that the Allen Law was bound to be repealed, would have been entirely satisfied with a "compromise" of this sort; and they charged that Mayor Harrison was in reality working for the ring rather than against it.

For the reasons above outlined, Altgeld considered it of the utmost importance that Mayor Harrison should be defeated for reelection in the spring of 1899. He asserted that Harrison, by means of a spurious victory on the local traction issue, was planning to secure control over the Democratic party in Illinois, and through a combination with Croker at the next national convention intended to wipe out the Chicago platform in the interests of eastern monopolists. But Harrison was too strongly

entrenched to be successfully opposed at the primaries, and his re-nomination was certain. The only course open to his Democratic opponents was to nominate a rival ticket by petition. Altgeld was frequently mentioned as the logical candidate to head such a ticket, but it was supposed that his having been Governor of the State would preclude his acceptance of the candidacy. However, in a newspaper interview of late December, 1898, Altgeld said:

> These people [the men who were importuning him to run for mayor] feel that the Democratic party dare not take any chance on having a Croker or Harrison combination organize the next national convention. They further declare that the Mayor on all important points is playing into the hands of the street railways. They say the opportunity of establishing municipal ownership that comes only once in a generation comes in 1903, when the present franchises expire; that the Mayor by pretending to be for municipal ownership, but insisting that we shall wait twenty or thirty years, is simply playing into the hands of the street railways and shows that he is not acting in good faith with the people. . . . If there is no other way of rescuing the Democratic party from the treachery of the city hall I will run for Mayor, or even constable.

Soon after this declaration, petitions were put in circulation calling for the nomination of Altgeld as candidate for mayor of Chicago, "by Democrats and as a Democrat." That national as well as local issues were involved in his candidacy is shown by the title adopted for his ticket, in accordance with the law requiring a distinguishing ballot name—"Municipal Ownership and Chicago Platform." His opponent on the regular Democratic ticket was, of course, Mayor Harrison; while Zina

R. Carter headed the Republican ticket. All three candidates ostensibly favored municipal ownership, but Altgeld alone stood for immediate adoption of that plan.

When criticized by his Democratic friends for "bolting" the party organization with which he had been so long and prominently identified, Altgeld replied:

> To bolt a party is to disagree with its declared principles; but a man who is ready to sacrifice everything he has to prevent the principles of the party from being betrayed is not a bolter. To worship a corrupt political organization as a fetish, and blindly follow it when it is moving toward destruction, is unworthy of a free citizen; and this practice has done infinite harm to our republic. Political machinery is a curse when prostituted to base purposes.

Hampered as he was by poor health and lack of funds, Altgeld found it impossible to make a very energetic campaign. At the outset, every daily paper in Chicago, with one exception, was against his candidacy; before the campaign was over, that one exception had deserted him. As a means of getting his views before the people, his friend George H. Shibley proposed the publication of a small weekly paper, with a front-page cartoon, to be sold on news-stands and by subscription. Such a paper, *The Municipal Ownership News,* was started, and under Shibley's direction proved an effective instrument during the campaign. No one connected with the movement, however, entertained any serious hope of success. To a friend who taxed him with the folly of endeavoring to bring about immediate municipal ownership, Altgeld replied: "Of course I know that we probably cannot get municipal ownership in your lifetime or mine, and maybe not in the lifetime of your children; but it is the right

thing, and by preaching it now we are helping the people to come to it earlier than they otherwise might." At the election in April, Altgeld received 47,169 votes, as against 148,496 for Harrison and 107,437 for Carter.

CHAPTER XXVIII

THE PRESIDENTIAL CAMPAIGN OF 1900

ARDENTLY as he believed in municipal ownership, Altgeld's fight against Mayor Harrison in 1899 was primarily waged in behalf of a much larger principle. Traction affairs in Chicago happened to provide the immediate local issue; far more important in Altgeld's view was the national issue involved in defending the Chicago platform of 1896 from its enemies within the Democratic ranks. From the moment of Mr. Bryan's first defeat his chief political concern was that the recent regeneration of his party should be permanent, that the position won by such tremendous effort should not be sapped by the Crokers, Gormans, Harrisons, and other exponents of machine Democracy; and during the next four years he gave the best of his failing energies to this cause. In a long letter of August 7, 1899, to Mr. Bryan, opposing the latter's projected trip to Kentucky in support of Goebel, he wrote:

> In my judgment the wisest course for us to pursue is to serve notice on the trimmers and traders all over the country that the Chicago Platform Democrats of America cannot be trifled with; that any attempt to betray them will result in death to the schemers; that the control of conventions, whether State or national, by trickery or corruption, will simply bring death to the men who have a hand in it. Once let this feeling get abroad in the land and we will have no more trouble.

But along with this uncompromising devotion to the Chicago platform, Altgeld was by no means insensible to the pressure of new issues. More promptly than any other Democratic leader he recognized that the issue of imperialism, arising out of the purchase and conquest of the Philippine Islands by the United States government in 1898, would play an important part in the coming presidential campaign; and he was probably more influential than any other in shaping Democratic policy with reference to that issue. In an article on "The War and Expansion," written while the Spanish-American war was at its height, and published in the *Democratic Magazine* for July, 1898, Altgeld warmly supported the war and asserted that credit for it belonged chiefly to the Democratic party. "We have assumed responsibilities and created new conditions," he said, "and we must now be prepared promptly to face the one and deal with the other." He argued for an expansion of national commerce in all legitimate directions, on a reciprocal basis, and with a strong navy to protect it. Porto Rico should be accepted, if offered, as a part of the war indemnity; and Cuba, Haiti, and Santo Domingo should be annexed whenever the people of those countries desired such action. But "to establish a colonial system and attempt to rule great countries in another hemisphere . . . is an entirely different question." Beyond claiming permanent access to "a number of the best harbors of the Philippines and any other good harbors we can get," the Philippine Islands should be left in the possession of their own inhabitants.

To attempt to govern this vast area and this numerous people from Washington would be a perilous undertaking, and

be almost certain to beget injustice and outrage. . . . But even if successfully governed, it is difficult to see what we would gain by pursuing this policy, over what we would get by simply securing permanent access to all of these harbors, so as to be able to compete on equal terms for their trade. This would involve no responsibility of government, no scandals and no injustice. Besides, the acquisition of vast territory on another continent would be inconsistent with the further maintenance of the Monroe Doctrine. . . . Apparently the Philippine Islanders are much better prepared to establish and maintain a republic than are the Cubans, and if they wish to take this step we have no right to prevent them. Even a poor government would be a thousand times better for the islands, and for the nations that trade with them, than the system of plunder and assassination which Spain has maintained there. To be sure there are men who, with an air of superiority, declare this or that people are incapable of self-government. But it must be borne in mind that every republic that exists on earth today, including the great American republic, was founded in spite of the protests of these men.

The same sentiments, in general substance, were repeated by Altgeld in his speech before the Springfield convention on July 12, 1898, and in his Chicago Auditorium address of September 24, 1898. Thereafter, as the folly, hypocrisy, and brutality of the government's course in the Philippines became more open and pronounced, he seldom lost an opportunity of protesting against that course and of urging an anti-imperialist policy upon the Democratic party.

Early in 1899, perhaps even earlier, a distinct change of attitude toward Altgeld began to make itself apparent in the American press. For almost the first time in his public career he was generally treated, by the more reputable journals at least, with something approaching

common courtesy and respect. This significant change was especially noticeable in the case of *Harper's Weekly*, for years one of the most rabidly violent and unscrupulous among Altgeld's detractors. Describing a meeting of the Democratic national committee held at Chicago in July, 1899, this journal said:

> Next to Bryan the striking figure at the Chicago meeting was John P. Altgeld, former Governor of Illinois, who is looked on as the leader of that element in the party which contends that the Chicago platform of 1896 must remain the gospel for the Democratic party in 1900. He has a strong following still in Illinois, but his greatest power lies in the devotion to him of the silver men in all parts of the country. His political prestige seems to increase rather than diminish. He never temporizes, and he despises those whom he characterizes as sacrificers of principle to opportunity.

An interesting meeting between Altgeld and the editor of *Harper's Weekly*, which occurred during the autumn of 1899, is thus described by the late Francis F. Browne in a personal letter to Mr. Louis F. Post:

> A year or so before the Presidential election of 1900, my friend Henry Loomis Nelson, later Professor of Political Economy in Williams College, Mass., but then editor of *Harper's Weekly* (a journal which had been extremely outrageous in its treatment of Altgeld), called on me in Chicago, and after some discussion of political affairs said there was one man in Chicago whom he particularly desired to meet,—ex-Governor Altgeld; and asked me if I could help him in doing so. I had then become personally acquainted with Mr. Altgeld, and offered to take my friend to see him. We went at once to Altgeld's office in the Unity Building, and I presented my friend as "Mr. Nelson, editor of *Harper's Weekly*." Altgeld greeted him in that cordial way he

had, saying, in a half-quizzical, half-sarcastic way, "Ah!—*Harper's Weekly*,—a Journal of Civilization!" quoting the familiar motto of the journal's heading. Then, on my explaining that Mr. Nelson was making a study of the political situation, and prospects for the next campaign, Altgeld talked on for a half-hour or more, in a frank, off-hand, discerning way, which I saw impressed Mr. Nelson strongly, as did also Altgeld's cordial, dignified, and courteous manners. Not once in the interview did Altgeld refer to *Harper's Weekly's* personal abuse. Walking back to my office, Mr. Nelson spoke of his pleasure at meeting Altgeld, and of his favorable impressions, saying, "How in the world did such a man as that come to be so misrepresented before the public?" I replied, "Ask yourself, Mr. Nelson; surely your journal has done its full share." He was silent; then said, rather ruefully, "Yes, I suppose we have; but of course we got it from the Chicago newspapers."

The immediate result of this interview was an extended article by Mr. Nelson published in *Harper's Weekly* for November 18, 1899, under the title, "Altgeld and the Democratic Policy." As the most accurate available summary of Altgeld's pre-campaign views and prophecies, the following portion of this article is well worth reproducing here:

Before describing the Democratic movement towards union, if not harmony [between the "silver" and "gold" wings of the party], I shall give the substance of a conversation I had with ex-Governor Altgeld in Chicago. It will not do to underrate this leader of the Chicago-platform Democrats. He is not the strong man physically that he once was, and it may be that he will not be able again to take an active part in campaigns, but he is intellectually head and shoulders above all the other Bryan and free-silver leaders. The men who nominated Bryan, and also are to control the next Democratic convention—unless the bosses

of the stripe of Croker, Goebel, and McLean control it—will always listen respectfully to the advice of Altgeld. He will remain the man upon whom they must depend if they are ever to attempt to meet the arguments of the strong men of the Republican party. Perhaps even if the bosses and their machines capture the convention and defeat Bryan, in the interest of Gorman or McLean, or some candidate of that kind, Altgeld will nevertheless remain the brains of the new Democracy. He is not much of a force to be reckoned with in that event, however, for his heart will not be in the contest. Whatever else he may be, he is not in sympathy with the Democratic machines of our great municipalities. He is strong as a leader of the kind of movement which made Bryan the candidate, and which concocted the Chicago platform, because he professes to stand as the ideal man of the people. He is no more an old-time Democrat than Bryan is. He is a socialist, and therefore a believer in paternalism. Unlike the old Democrats, he does not want the government to keep its hands off the individual. He wants the government to extend its aiding hand over all industrial life. He has been denounced as an anarchist, but he is the exact opposite. If his political philosophy were adopted, the power of the government would be enormously increased, and its jurisdiction vastly extended. He has, therefore, that kind of principle, or entertains that kind of theory, which finds acceptance with a good many hundreds of thousands of Americans, and he has a power of presenting his views so that they are attractive to the doubting and reassuring to the converted. Moreover, he is a skilful politician, and is adroit in uniting issues for the purpose of getting as many votes as possible behind his ticket, although the united body may be composed of several discordant elements. Whether he takes an active part in the next Democratic convention or not, his advice will be potential, and will be followed unless Bryan himself fails to agree with him—Bryan not being a subservient person, as was plainly shown by his refusal to follow Altgeld's advice that he stay out of Kentucky and decline to take part in

the factional contest between silver Democrats—a contest that has been greatly stimulated by the gold Democrats.

There had been several signs that the silver issue was a burden on the hands of its inventors, and I was desirous of discovering, if possible, how much significance to attach to them. Bryan was non-communicative, and, besides, he was in the hands of his ever-smiling brethren, Goebel and McLean. Therefore Altgeld was the only man to talk to. I found him not at all inclined to make light of the silver issue. Unless I am greatly mistaken, he is sincerely convinced that cheap and abundant money will be of great benefit to the farmers and laborers of the country. He at least talks the lingo of that faith much more adroitly than any of his associates. Moreover, he believes that the great vote which Bryan received in 1896 represented accurately the strength of the free-coinage movement. He cannot be convinced that the free-silver men had as allies the discontented who had no interest whatever in silver or in any other economic question, but who voted for Bryan instead of McKinley because they were out of a job. He cannot be convinced, either, that Bryan received thousands of votes from Democrats who not only deny the silver faith, but who believe that the standard of value should be gold, and gold alone, but who voted for Bryan because he was the regular candidate of their party, and because their chief pride is in their own "regularity." No; here were 6,500,000 of votes for a candidate who believed in free silver, and therefore the 6,500,000 voters were all free-silver men. The reasoning is far from sound. The observation on which it is based is far from accurate, but it will be potent to keep the free-silver plank in the next Democratic national platform.

It is clear, however, that silver will not be the important issue of the campaign if the Democrats can help it. It is difficult to see, perhaps, how the issue can be made subordinate, for it is the only issue concerning which Bryan can be taken seriously. But Mr. Altgeld says that issues are not made by the politicians, but by the people, and that candidates and party orators and news-

papers must discuss the questions in which the people are interested. He points out that this is shown to be true in every modern campaign. In some parts of the country the stump-speaker naturally talks about the tariff; in other parts, about the labor questions; in others, about silver; in others, about "government by injunction." He argues that next year the talk will be about imperialism, and next in importance will be the trust question. This arrangement of issues puts the silver issue at least third, and it may be that it will not be heard of except as it will be talked about by the Republican orators, who will naturally insist that Bryanism means cheap money and nothing else. It was clear from Mr. Altgeld's conversation that he expected the return of the gold Democrats to the organization which had driven them out of their old party by revolutionizing it, and by making it stand for everything contrary to old Democratic doctrine and teaching. And this reunion of old partisans who seemed a short time ago to have gone asunder for good and all, not only on the silver question, but because Bryanism means socialism instead of the old Democratic theory of individualism—this reunion is to be effected on the issue of imperialism, seconded by an attack on trusts; although how the trust question can be made to play a part in a campaign in which the two antagonists profess the same faith concerning it is difficult to see. Imperialism, however, is to be the main issue if the Democrats can make it so, and Mr. Altgeld is of the opinion that the people will compel the issue to be placed at the front—will demand the consideration of that question to the subordination of the silver and all other issues. And in this he and his party are likely to be helped by the general apathy on the currency question which is due to the prosperity of the country, and to the fact that the clamor for cheap money, which was so loud four years ago, is not heard of outside of the circle of professional free-coinage politicians. One unfortunate feature of Mr. Altgeld's view lies in the fact that the Republicans are to encounter opposition to their effort to make the money question the prominent one of the campaign. It would seem to

be a thing of easy accomplishment if Bryan is to be the candidate. At any rate, I set down the views of Mr. Altgeld for what they may be worth. He assumes that Mr. Bryan will again be the candidate of the Democratic party; that the party will not abandon the silver issue, because it believes in its soundness, and, at all events, that it will not do to confess to the 6,500,000 voters, who he assumes are all 16 to 1 men, that the leaders and they were all wrong in 1896. He further assumes that the fact will be recognized that something of more importance is now before the country, that something being the issue of imperialism, in which are involved the political fortunes of Mr. McKinley and his administration. The question of importance to Mr. McKinley, to the Republican party, and to the country is as to the reasonableness of the belief which is held by the Chicago-platform Democrats that the gold Democrats and all anti-imperialists will next year follow the man whom, three years ago, they rejected even with scorn, because he now stands for the opposition to Mr. McKinley's policy of imperialism, or expansion, or whatever else men may see fit to call it.

With Mayor Harrison of Chicago in firm control of the Illinois Democratic organization, there was no possible chance that Altgeld would be sent as a delegate to either the State or the national Democratic convention of 1900. He did, however, attend both gatherings as a private member of the party. At the State convention, held late in June, his appearance was marked by a demonstration too enthusiastic and spontaneous to be ignored. He was invited to the platform, where he spoke with such force in support of the programme and spirit of 1896 that the hostile elements in the convention later found it impossible to frustrate a vote of instructions for Mr. Bryan's candidacy. From the State convention Altgeld went, still without official status save as

a member of the Democratic national committee, to the national convention at Kansas City, which opened on July 4. He arrived just in time to forestall, at the pre-convention proceedings, what would have been a serious disaster to the Chicago-platform adherents. Ex-Governor Charles S. Thomas of Colorado has recalled the incident in the following paragraph from a personal letter:

> At Kansas City Governor Altgeld performed a very distinct and important service to the cause of free coinage. A serious but quiet plan had been formed by the opponents of silver to prevent anything beyond casual mention of the subject in the platform of 1900. This plan had secured the adhesion of a very respectable number of strong silver men through the specious assurance that the naming of a fixed ratio had led to defeat in 1896, and that a mere declaration for free coinage with the ratio to be determined by later legislation would be a winner. The plan of course contemplated an organization of the convention with that end in view. Altgeld was among the first to detect this movement, and he resolved to defeat it. I was a candidate for temporary chairman of the convention. Altgeld sent for me, told me what he knew, asked about my chances for success, and then determined to support me. I was chosen for the position, thanks to his good offices. Being a pronounced and uncompromising silver man, my selection had much to do with weakening although it did not wholly discourage the movement.

The fight thus begun in the contest for temporary chairman was immediately carried over into the deliberations of the resolutions or platform committee. Essentially, this fight involved Mr. Bryan's candidacy much more than it did the issue of free silver. Had the convention merely declared its general adherence to the silver clause of the Chicago platform, or had it supported

a plank in favor of free coinage without specifying the 16 to 1 ratio, the position of the Democratic party on the silver issue would have been virtually unchanged. But Mr. Bryan had already served notice that unless the platform of 1900 specifically restated and reaffirmed the silver plank of 1896 he would not accept a second nomination for the presidency. By successfully opposing a word-for-word reiteration of the Chicago silver plank, the machine delegates at Kansas City would thus have eliminated Mr. Bryan and then have carried through the nomination of some such "conservative" as Gorman or Hill or Harrison. Only after a bitter struggle, and by such a narrow vote as 24 to 26, were these plans defeated in the resolutions committee. The platform, as finally decided upon for presentation to the convention, reaffirmed and endorsed "the principles of the National Democratic platform adopted at Chicago in 1896," and demanded once more the "immediate restoration of the free and unlimited coinage of silver and gold at the present legal ratio of 16 to 1 without waiting for the aid or consent of any other nation." Other planks denounced the "colonial policy" of the Republican administration, declared opposition to militarism, attacked the trusts and all private monopolies, and characterized the Dingley tariff act of 1897 as a "trust-breeding measure." Of central importance, however, was the following paragraph: "The burning issue of imperialism growing out of the Spanish War involves the very existence of the Republic and the destruction of our free institutions. We regard it as the paramount issue of the campaign." Thus Altgeld's prediction regarding the platform, as expressed in the *Harper's Weekly* interview of October, 1899, was fulfilled to the letter.

On the opening day of the convention, after the usual official preliminaries, Altgeld was formally invited to address the convention from the platform. His speech was devoted in the main to a eulogy of Mr. Bryan and a plea that no backward step be taken on the money question. "Four years ago," he said, "we quit trimming, we quit using language that has a double meaning. . . . We went forth armed with the strength that comes from candor and sincerity, and we fought the greatest campaign ever waged on the American continent. . . . [For] the first time in the history of this republic the Democracy of America have risen up in favor of one man." This speech, and Senator Tillman's reading of the platform, which immediately followed, received a tremendous ovation. The next day, July 5, the platform was adopted and Mr. Bryan was nominated by acclamation, amid tumultuous cheering. Adlai E. Stevenson later received the nomination for Vice-President.

At Philadelphia two weeks before, President McKinley had been chosen by unanimous vote to head the Republican ticket once more, with Theodore Roosevelt for running mate. The Republican platform renewed the party's allegiance to the gold standard and to the policy of protection and reciprocity, reaffirmed the usual number of popular generalities, and (in a half-hearted effort to spike Democratic guns on the trusts issue) denounced "conspiracies and combinations to restrict business." The regular Populists and the "silver Republicans" endorsed the Democratic candidate and platform at their national conventions, and the newly-organized Anti-Imperialist League pledged its support to Mr. Bryan.

With the ensuing campaign there is no need to deal at any length here. Mr. Bryan repeated his strenuous

and spectacular canvass of four years before, laying chief stress throughout his tours on the anti-imperialist issue. Both in directing campaign strategy and in active field work, Altgeld did everything that a man in such frail physical health could do. During October he accompanied Mr. Bryan on a speaking trip through the New England States—his first political invasion of that territory. Here, oddly enough, he found some of the largest and most enthusiastic audiences that he had ever addressed. The Republican candidate for Vice-President thundered valorously up and down the country against the exponents of "lawlessness and disorder, dishonesty and dishonor, license and disaster at home and cowardly shrinking from duty abroad"; but otherwise the campaign was not conspicuous for either hysteria or vituperation. It happened that the economic winds and tides were just then running strongly in favor of the Republicans, and the latter could well afford to rest their case in the main upon the concrete and visible entity of a "full dinner pail," as opposed to the Democratic arguments in favor of such relative abstractions as anti-imperialism, trust regulation, and free coinage. In the November election President McKinley received a popular majority of nearly 850,000 votes over Mr. Bryan, and an electoral vote of 292 against 155 for his opponent.

A conversation between Altgeld and his private secretary, Miss Louise Howard, during the 1900 campaign deserves to be set down here, as refuting (if that were necessary) the charge so frequently brought forward both in this campaign and in that of 1896, to the effect that Altgeld's support of Mr. Bryan was determined solely or chiefly by hopes of personal political preferment. Miss Howard writes:

There is one conversation which is the most memorable of any I ever had with Governor Altgeld. In thinking of it I am reminded that in answer to the usual inquiries, "How do you do?" or "How have you been lately?" he would frequently say: "Oh, I have been fairly well, but I am not *accomplishing* anything."

Accomplishment—that was so evidently, from his tone and emphasis, his only idea of happiness! But on this day of which I am thinking, in reply to the customary inquiries, he said that he was greatly depressed and discouraged. I wished to remind him of something more cheerful, and said that I did not see why he should be discouraged, that Mr. Bryan seemed to have a very good chance of success in the coming election. "And," said I, "if Mr. Bryan is elected you will certainly be in his cabinet." "No," said the Governor, "I shall never be in Mr. Bryan's cabinet." "Why not?" I asked in surprise, adding that it was generally expected that he would occupy a leading place in any cabinet which Mr. Bryan might select. "I would not accept a place in Mr. Bryan's cabinet, if it should be offered me," said Governor Altgeld. Again I asked in surprise, "Why not?" and he replied: "Because Mr. Bryan, if he is elected President, will have a very difficult task before him, in conducting his administration—a very difficult task. The American people do not understand me. If I accepted a place in Mr. Bryan's cabinet it would handicap him and make his administration more difficult, and that I will not do."

CHAPTER XXIX

LAST DAYS

WHAT was destined to be Altgeld's final activity in connection with national politics has been described in the preceding chapter. Had he lived a few years longer, the progressive wing of the Democratic party might have prevailed in 1904 as it had in 1900. At any rate, it is difficult to imagine that Altgeld would have acquiesced in such a reactionary triumph as that of the Democratic forces which nominated Alton B. Parker for the Presidency. Greatly as he had suffered under the scurrilities of Theodore Roosevelt, he might very conceivably have decided that support of the Republican candidate involved a lesser apostasy to the Chicago platform. More probably, however, he would have organized or attempted to organize a secession movement within his own party, with a programme similar in all important respects to that adopted by the "Progressive" Republicans in 1912. Certainly during the two or three years just before his death, Altgeld made it sufficiently plain that he was prepared to sacrifice party "regularity" and even party allegiance whenever the occasion demanded. This was demonstrated by his course in the Chicago mayoralty campaign of 1899, and also by two later incidents, now to be briefly described, which mark the close of his political career.

In connection with one of those spasmodic reform

movements so familiar in American municipal politics, some of the better elements in St. Louis induced Mr. Lee Meriwether, a prominent attorney of that city, to run for mayor in the spring contest of 1901. At the primaries Mr. Meriwether won a majority for nomination on the regular Democratic ticket. In the nominating convention, however, the local Democratic bosses took forcible control of the proceedings with a large body of police, ejected the reform candidate and his adherents, seated their own delegates, and nominated their own ticket. Mr. Meriwether then entered the mayoralty contest as an independent, on a platform advocating municipal ownership of public utilities. Although many prominent western Democrats contributed privately to his campaign fund, few were willing to offend the "regular" Democratic organization by open support of his candidacy. Altgeld was appealed to, and at St. Louis on March 27 he made an eloquent plea for the independent candidate before an audience of nearly twelve thousand. At the ensuing election, Mr. Meriwether was "counted out" by methods which eventually retired the chief Democratic boss from active political concerns to a three-year sojourn in the State penitentiary.

Returning at once to Chicago after his St. Louis speech, Altgeld addressed a large public meeting on March 28 in support of Judge Elbridge Hanecy, then running for mayor of Chicago on the Republican ticket. Hanecy's nomination had evidently been brought about through a bi-partisan "deal" between the local political bosses, which had for its purpose the ensuring of Mayor Harrison's reelection to a third term. "Pursuant to this arrangement, the Republican machine defeated John M. Harlan for the Republican nomination.

Harlan had been pressed upon the convention by an immense popular petition. Had he been nominated, nothing would have prevented his election. But that would have amounted to a repudiation by the Republican machine of its arrangement with the Burke-Harrison [Democratic] machine. So the Republican machine 'turned down' Harlan and nominated Judge Haney, probably the most unpopular Republican of note in Chicago." * Altgeld's support of the Republican candidate was no doubt determined to some extent by his bitter hostility to Mayor Harrison. But, as in the St. Louis contest, local traction affairs constituted an important issue of the campaign. Altgeld felt that Judge Haney's stand on this issue was much more definite and progressive than Harrison's. "I believe," he said in his speech of March 28, "that if Mr. Harrison is reelected the cause of municipal ownership of public utilities will be set back a quarter of a century." Without questioning his sincerity or criticising his right to disregard party allegiance, many of Altgeld's warmest admirers believed that his support of Haney was decidedly ill-advised. Harrison was reelected, although his plurality of 1897 was reduced by nearly two-thirds.

Early in 1901 Altgeld completed and published his little book on "Oratory: Its Requirements and Rewards," which brought him numerous letters of warm praise from prominent men in this country and abroad. One of these men was Henry D. Lloyd, to whom Altgeld wrote in acknowledgment: "Many thanks for your kind words about my little book. I cannot tell you how sweet they are to me. It is one of my children that the world is not frowning on." At this time, also, he must have

* *The Public* (Chicago), April 6, 1901.

been occupied with another of his literary "children," "The Cost of Something for Nothing," which was finished just before his death, although it did not find publication until some two years later. But these two books were merely the product of spare moments, stolen from the prosaic task of earning a livelihood. Since the expiration of his term as Governor, in 1897, Altgeld had maintained offices in the Unity Building, ostensibly for the practice of law, although political and other activities still continued to engross the larger part of such time as he could give to work of any sort. At the beginning of 1901, however, he formed an active law partnership with his old friend Clarence Darrow and with William H. Thompson, under the firm name of Altgeld, Darrow & Thompson; and the last year of his life was devoted almost exclusively to legal practice. In another part of the letter to Henry D. Lloyd which is quoted on page 326, he wrote: "You will see from the heading of this letter that I have gone to work and am trying to make an honest (?) living. Although I have a deep conviction that a reformer ought not to have to work." One may readily read in this the feelings with which Altgeld returned actively to his old profession. After a decade of strenuous public service, he had now to resume the relatively petty concerns of a private law business—to begin anew where he had left off long before, in an occupation that had never been congenial to him. But the stoic element in his nature was equal to this, as it had been to all of his previous necessities. He threw himself resolutely into the work before him, and within a few months achieved a more brilliant reputation than comes to most lawyers in as many years of effort. This second phase of Altgeld's legal career is referred to in the following quo-

tation from an article by Elbert Hubbard in *The Philistine* for May, 1902:

He was the most systematic of workers—the most practical of men—and keenest of politicians and the best trial lawyer in Chicago. But to see him at his best, the interests involved must not be trivial nor the opposition small fry. He demanded big game and high stakes. In his mental make-up—in temperament—he had qualities akin to those of Caesar.

In talking with a Chicago judge a few days ago about Altgeld, the judge corrected me thus, "I did not say John. P. Altgeld was a good lawyer, I said he was a great lawyer. He had the leanest, most sinewy intellect of any man who ever came before me—and in the course of a year I saw them all. He could sift, weigh, analyze, and make distinctions in a way that kept the other fellows in a perspiration. His thoroughness raised the status of the entire Bench and Bar of Cook County. He gloried in the bright scintillating sword-playing of the mind, and when he willed it his words were whips of scorpions. I used to watch him; and when he was needlessly calm and suave, carefully considering the other side, giving due credit and paying courtly deference, I knew that it was coming. He etched 'em with a stylus and then bit in his argument with sulphuric acid; and often it was a month before the other side knew they were scarified for life—like a big vaccination mark on beauty's arm. If Altgeld had let the workingman just go to the devil, he would be today to Illinois what Thomas Jefferson is to Virginia.

A last personal glimpse of Altgeld has been contributed to this book by Mr. Edgar Lee Masters, author of "The Spoon River Anthology." The incident described took place during the winter of 1901–2, only a few weeks before Altgeld's death. Mr. Masters was then, as he still is, a practicing lawyer in Chicago. He writes:

I was trying to organize an independent bar association to counteract the influence of the Chicago Bar Association. Altgeld and some others were with me in this, and I was chosen to prepare the declaration of principles of the new association. I prepared them and went to Altgeld's office, then on the twelfth floor of the Ashland Block, as my office was. He had a small room on the south side of the building overlooking Randolph Street—no rug on the floor, no pictures on the walls, a folding top desk of yellow oak, a swivel chair, and perhaps other chairs. He was standing at the window as I entered looking toward the Unity Building, absorbed in reflection. He heard me and turned around, but did not leave the window; and I came up to him. The bright light of the window acted as a microscope upon his face, which was almost ivory pale. But two things that impressed me were his voice and his eyes. His voice rasped from the rostrum, for I have often heard him make speeches. But in this conversation it was of marvellous sweetness, laden with infinite kindness, and something of a transfiguring resignation. And his eyes were the bluest that I ever saw, child-like, gentle, and radiant. So he took my writing and went to his desk and read it. After doing so he said, "This is excellent, excellent; but we can condense it a little. This word can go out and this one." So he took his pencil and made emendations. The next time I saw his face he was in his coffin, and it looked as clear and calm as ice, his nose very thin and pointed which I had not observed in life, and almost transparent through the chisel of the sculptor Death. You will find in one of the epitaphs of the *Spoon River Anthology* a reference to Altgeld and his eyes.*

*The epitaph here mentioned is that written for "Magrady Graham," a Spoon River inhabitant who appears to have succumbed to an excess of emotion during the election of 1892. It reads as follows:

> Tell me, was Altgeld elected Governor?
> For when the returns began to come in
> And Cleveland was sweeping the East,
> It was too much for you, poor old heart,
> Who had striven for democracy

Absorbed as he was in his law practice during these last months, Altgeld still maintained as keen an interest as ever in public affairs, and he occasionally yielded to one of the many requests which he received to speak before public gatherings. At Ann Arbor on December 14, 1901, he addressed the Good Government Club of the University of Michigan on "American Ideals," devoting particular attention to the conditions of social injustice and official repression that make for the growth of anarchism. On March 8, 1902, he spoke before the Independent Club of Buffalo on his favorite topic, "Shall the People Own the Monopolies?" His next public appearance, only three days later, was destined to be his last. The Buffalo address was delivered on a Saturday evening. On Monday and Tuesday of the following week, Altgeld was almost continuously engaged in the Federal circuit court at Chicago, arguing a case in behalf of the local cabmen's union against the Pennsylvania railway. Although much exhausted at the conclusion of his final plea on Tuesday afternoon, he took a train at once for Joliet, where he was scheduled to speak that evening at a public mass-meeting arranged by the Will County Pro-Boer Association. Some of his associates, seeing that he was in

In the long, long years of defeat,
And like a watch that is worn
I felt you growing slower until you stopped.
Tell me, was Altgeld elected,
And what did he do?
Did they bring his head on a platter to a dancer,
Or did he triumph for the people?
For when I saw him
And took his hand,
The child-like blueness of his eyes
Moved me to tears,
And there was an air of eternity about him,
Like the cold, clear light that rests at dawn
On the hills!

no condition to undergo the strain of an important speech, attempted to dissuade him from it, but without success. The cause of the "embattled farmers" of South Africa, in support of which the Joliet meeting was being held, had aroused the deepest sympathies of Altgeld's liberty-loving nature; and stirred by the news of General Methuen's capture a day or two before, he went to Joliet resolved upon making one of the chief oratorical efforts of his life.

At the meeting he spoke with much feeling and energy for about forty-five minutes. Apparently his voice was as strong as ever; but he hesitated a little at times, wiped his forehead frequently, and occasionally reached out somewhat unsteadily for support by the speaker's table or a near-by chair. At the last, after an eloquent plea for the Boer women and children penned up in British concentration camps, he concluded with these words:

I am not discouraged. Things will right themselves. The pendulum swings one way and then another. But the steady pull of gravitation is toward the centre of the earth. Any structure must be plumb if it is to endure, or the building will fall. So it is with nations. Wrong may seem to triumph. Right may seem to be defeated. But the gravitation of eternal justice is toward the Throne of God. Any political institution which is to endure must be plumb with that line of justice.

Amid the cheers of a large audience, Altgeld sighed deeply and sat down. Then two or three minutes later, as the next speaker began his address, he arose and started a little uncertainly toward the wings of the stage. Just as he was out of sight of the audience, he staggered and fell into the arms of two members of a local singing society who had noticed his distress and had arisen to

assist him. From the theatre he was taken at once in a semi-conscious condition to his hotel. There he revived and spoke coherently to those about him. His chief concern was that his wife should not be alarmed about his condition. "I've got to be careful of her, you know," he said. After being put to bed, he again lapsed into a state of semi-consciousness. When Dr. Cushing of the State penitentiary arrived, Altgeld recognized him, and attempting to extend his hand, he said: "How do you do, Cushing? I am glad to see you." These were his last intelligible words. After several hours of almost complete unconsciousness, he died a little after seven o'clock on the morning of March 12. According to the statement of his attending physicians, death had been caused by cerebral hemorrhage. As truly as any soldier on the battlefield, Altgeld went down fighting for human liberty. It was the death which of all others he would have chosen for himself. He had

> Fired his ringing shot and passed,
> Hotly charged—and sank at last.

From Joliet the body was taken to Chicago in charge of Altgeld's law partner and devoted friend of many years, Clarence Darrow. There, at the family home on Malden Avenue, private funeral services of a very brief and simple nature were held on the afternoon of March 14. Miss Jane Addams and Mr. Darrow were the only speakers other than the presiding clergyman, Dr. Frank Crane. Next morning, escorted by Governor Yates and his staff, the casket was carried to the Public Library building and placed on a flower-banked bier in the north corridor. All that day, from eleven in the

morning until ten at night, and for three hours during the following forenoon, an almost continuous double line of sorrowing admirers filed slowly past the coffin. Despite the harsh and rainy weather, from forty to fifty thousand persons thus paid tribute to the dead statesman.

All day long they stood; all day long in the rain. Bitter, bitter Chicago! As if, even in his death, she would scourge by her lowering clouds the men who dared to love him. Oppression, Falsehood, Compromise, Cowardice breathed more freely; for in the great north corridor of the Chicago Public Library John P. Altgeld, friend of the common people, lay upon his bier. The great rock against which the waves of corruption in high places had beaten so long in vain had crumbled into clay at last. All day long they stood, in imperceptibly moving line: the common people, care-worn, toil-stained, wet to their thinly covered skins, men and women and children together, waiting to look upon the dead face of the man who had borne their troubles in his heart, a heart great enough to know and to understand. As they turned away, in men and women alike, shining, in some, through tears, there was a look of dignity that was impressive, awful, as if by that one look his spirit had caressed them, had raised them for the instant to the height of his own towering manhood.*

Early in the afternoon of March 16 the doors of the library building were closed, a few eloquent words were spoken at the bier by William J. Bryan, and the casket was then carried at the head of a long funeral procession to Graceland Cemetery. No military display marked this procession, which was made up for the most part of working-class organizations. At the grave, brief addresses were given by two of Altgeld's political associates, Mr. Bryan and Charles A. Towne, and by his life-

* *The Socialist Spirit* (Chicago), April, 1902.

long friend, Joseph W. Errant. The final scene here has been thus impressively pictured by an eye-witness, Mr. Louis F. Post:

A bleak landscape stretching away from his open grave, fierce March winds bearing down the bitter cold of a northern blizzard as they howled through the leafless trees, tumbling waves beating on the near-by shore of the angry lake, and a lowering but not altogether sunless sky overhanging the scene—this was the emblematic tribute which external Nature paid to the memory of John P. Altgeld, while his friends returned his mortal part to the absorbing elements of the earth from which it came.

It was a grand and fitting tribute. No other could so well have symbolized the man. The bleakness was the bleakness of March and not of December, of life renewing and not of life at an end; and the signs and sounds of stress and storm, in the midst of which the dead body lay—composed, silent, indifferent, and as cold as the furious blast itself—pictured forth with graphic fidelity the story of a devoted life lived out to the mortal end in unflinching loyalty to principle and with cold indifference to the malignant clamorings and their inane echoes which had assailed it on every hand.

Nor was the picture wholly harsh. Perfect artist that she is, Nature was faithful to the whole truth. She had cast a thin veil over the sky, and through the fleecy meshes of that token of grief, the bright sun thrust its softened rays to symbolize at once the hope which lies "beyond our mortal ken" and the tender love that had vitalized this brave man's nobly strenuous career.*

Public meetings to honor Altgeld's memory were held in several large cities soon after his death, the huge gatherings in Cooper Union, New York, on April 3 and in the

* *The Public* (Chicago), March 22, 1902.

Chicago Auditorium on April 20 being particularly impressive. In the same year (1902) there was organized an Altgeld Memorial Association, having for its avowed purpose "to keep alive the inspiring memory of John P. Altgeld, volunteer soldier, jurist, statesman, publicist, and humanitarian, and to inculcate the principles of free government to which he heroically dedicated his life." Besides providing for the pecuniary relief of Mrs. Altgeld, this Association organized three notable memorial services in Chicago—the first on March 10, 1907, five years after Altgeld's death; the second on September 4, 1910, when four bronze tablets now affixed to the cemetery monument were dedicated; and the last on March 10, 1912, ten years after Altgeld's passing. The moving spirit, the chief organizing force, in these activities was Joseph S. Martin, whose name deserves to be inscribed in shining letters in this or any similar record. For many years both before and after Altgeld's death, Martin devoted virtually the whole of his time and fortune first to the personal service then to enhancing the memory of the man who was quite literally the god of his idolatry.* In addition to his whole-hearted labors in connection with the Memorial Association, Martin secured after long effort the passage of a bill through the Illinois legislature of 1913 appropriating $25,000 for the erection of a

* At the memorial service of 1912, one of the speakers (Rev. Herbert S. Bigelow) said: "While sitting here, I have been thinking of another name that it seems to me we should link with the name of Altgeld upon this occasion; for next to greatness itself is the power of appreciating greatness. . . . There is a man, not in evidence of course, hiding somewhere out on the edges of the crowd this afternoon, a man who would have been glad to have laid down his life for Governor Altgeld; and I want that name written into the record this afternoon. Let us remember the name of Joseph S. Martin."

public monument to Altgeld. As designed by Gutzon Borglum, this monument has stood since 1915 at the north end of Lincoln Park, in Chicago.

During the last three or four years of Altgeld's life, as already noted in these pages, he enjoyed the novel experience of being treated by a considerable section of the American press with something like common decency—in some cases almost with respect. Even *Harper's Weekly* and *The Nation* now found it possible to mention his name without at the same time unlocking the floodgates of savage invective. After his death, the prevailing note in the press obituaries was one of eulogy. As in the case of Lincoln, many of those who had been his most relentless detractors now joined with his devoted followers in paying tribute to the dead. The "arch-anarchist" was suddenly metamorphosed into a staunch though "occasionally mistaken" champion of democratic American institutions; the "friend of disorder" and "ally of criminals" became a zealous exponent of law and justice; the "frenzied demagogue" was declared to be a leader of forlorn hopes, whose whole effort "was to force his party to stand for unpopular principles, rather than gain office through compromise." The newspaper which of all others had been most vociferous in its tirades against "viper Altgeld" now discovered and proclaimed that "he was a sincere, earnest and honest man, whose feelings at times possibly played him false. Someone has truthfully said that Altgeld would be assured of immortality if the memorial notices published at his death had appeared as many days in succession as the life-long attacks.

But in a sense that has no remotest association with such evanescent things as press obituaries, Altgeld is in-

deed assured of immortality. The tide of public affairs runs swiftly in this country, carrying those who for the moment ride and in some degree control it to quick oblivion. The large outstanding figures of one generation are commonly no more than shadows (when they are even that) to its successor. For the most part it is only as some specious national myth entwines itself about the reputation of a vanished statesman or politician, like the bright swathing-cloths about an Egyptian mummy, that his name seems to endure with any permanence or make any urgent appeal to the popular imagination. Outside a little group of surviving friends, associates, and followers, there are probably few today to whom the name of John P. Altgeld is significant or even familiar. His heroic struggles in behalf of the common people, in behalf of justice and honesty, in behalf of truly democratic government, are largely unknown to a contemporary world intent mainly upon what is visibly and tangibly before its eyes. He belongs with what is called the dead past, which we in America bury more speedily and with less reverence than any other people. But, as the sages frequently remind us, the past is never dead—"at last it is all that lives." In any large sense, whatever free and orderly and equitable social existence we enjoy today comes as a heritage from the past, a direct boon from the pioneers of progress who have long since left the human scene. In the twenty years or more since Altgeld's death, his influence has been a constant and potent force in the public life of this country. In some degree his voice still speaks in every programme of political or social reform; the work of every earnest man or woman who would alleviate the ills under which humanity suffers has been made easier because of his efforts. Although

his name may be forgotten, he lives and will continue to live in the perpetual strivings of mankind toward a better collective existence. The last word on any subject is usually spoken by a poet, and the essential truth about Altgeld finds eloquent expression in the following commemorative lines written by Mr. Vachel Lindsay:

Sleep softly . . . eagle forgotten . . . under the stone.
Time has its way with you there, and the clay has its own.

"We have buried him now," thought your foes, and in secret rejoiced.
They made a brave show of their mourning, their hatred unvoiced.
They had snarled at you, barked at you, foamed at you day after day,
Now you were ended. They praised you . . . and laid you away.

The others that mourned you in silence and terror and truth,
The widow bereft of her crust, and the boy without youth,
The mocked and the scorned and the wounded, the lame and the poor
That should have remembered forever . . . remember no more.

Where are those lovers of yours, on what name do they call,
The lost, that in armies wept over your funeral pall?
They call on the names of a hundred high-valiant ones,
A hundred white eagles have risen, the sons of your sons;
The zeal in their wings is a zeal that your dreaming began,
The valor that wore out your soul in the service of man.

Sleep softly . . . eagle forgotten . . . under the stone,
Time has its way with you there, and the clay has its own.
Sleep on, O brave-hearted, O wise man, that kindled the flame—
To live in mankind is far more than to live in a name,
To live in mankind, far, far more . . . than to live in a name.

THE END

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